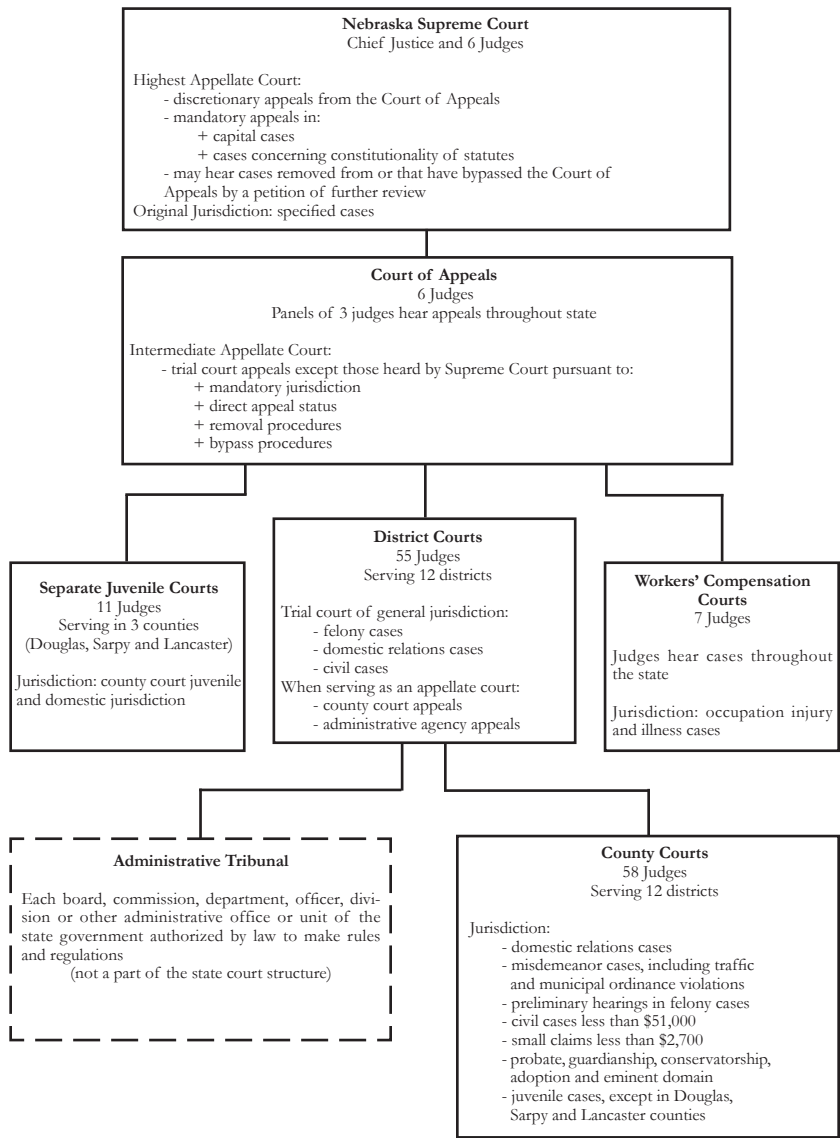




STATE JUDICIAL BRANCH

Nebraska Court Structure\*



\*Source: Nebraska State Court Administrator's Office.

# STATE JUDICIAL BRANCH

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The Nebraska court system is consolidated and unified. According to the Nebraska Constitution, judicial authority is distributed among the Supreme Court, Court of Appeals, district courts (general jurisdiction), county courts (limited jurisdiction) and other courts created by the Legislature. The state's other types of courts include the separate juvenile courts in Douglas, Lancaster and Sarpy counties and a workers' compensation court.

In 1970, the judicial article of the state constitution was amended, resulting in several significant changes in the state court system. The amendment gave the Nebraska Supreme Court general administrative authority over all Nebraska courts, eliminated the constitutional basis for the justice of the peace, consolidated the local courts and other courts of limited jurisdiction to form a uniform county court system and created the position of state court administrator. The Supreme Court appointed the first state court administrator in 1972.

The Supreme Court consists of a chief justice and six associate justices. The chief justice is selected by the governor from a statewide list of applicants, while the other six justices are chosen from regional lists. District court judges or selected retired judges may be called upon to help determine cases.

As amended in 1990, the state constitution guarantees the right of appeal to the Supreme Court in cases involving the death penalty, life imprisonment or constitutional questions. The 1990 constitutional amendment also allows all other cases, criminal or civil, to be appealed to the Court of Appeals.

The Court of Appeals consists of six judges appointed by the governor from lists submitted by judicial nominating commissions. The districts from which the Court of Appeals judges are appointed are the same as those used for the six Supreme Court judges. A chief judge of the Court of Appeals is appointed by the Supreme Court to serve a one-year renewable term.

The Supreme Court provides administrative and policy leadership for the state judicial system. The high court regulates the practice of law in Nebraska and appoints and monitors lawyers who serve on local inquiry committees and a state committee on discipline and professional responsibility. The Supreme Court also admits qualified applicants to the Nebraska State Bar Association and administers the state probation system, which handles adult and juvenile cases.

District courts are trial courts of general jurisdiction and serve as appellate courts in deciding some appeals from county courts and various administrative agencies. There are 12 judicial districts in Nebraska and 55 district judges who serve Nebraska's 93 counties. District courts hear felony and civil cases and some misdemeanors. Most appeals from the county courts are decided by judges of the district courts solely on the record. The 1980 Legislature changed the appeal procedure in all but small claims cases, requiring appeals to be heard on the record by a district judge. Small claims ap-

peals are reheard in the district court.

Each county has an elected clerk of the district court who processes judgment records, maintains court dockets, secures transcripts from lower courts and performs other administrative duties.

There are 12 judicial districts in the Nebraska county court system, each composed of one to 17 counties, and 58 county court judges. Each county has a county court. County courts have exclusive original jurisdiction in probate, guardianship, conservatorship, adoption and eminent domain matters. County courts also have original jurisdiction in juvenile matters in counties that have no separate juvenile court. County courts also have concurrent jurisdiction with district courts in misdemeanor cases arising under state law and domestic relations cases. But, in practice, nearly all misdemeanor cases are tried in county courts. While civil jurisdiction is exercised concurrently with district courts, cases involving less than \$51,000 can be filed in county courts.

Each county court has a small claims court division. Small claims courts have jurisdiction in civil cases involving damages or an amount of money of \$2,700 or less. Clerk magistrates, who are hired by county judges, act as local administrators and have limited judicial responsibilities. They may accept pleas in traffic and misdemeanor cases, set bail and perform other judicial services.

Separate juvenile courts are courts of record and handle cases involving neglected, dependent and delinquent children. Juvenile courts can be created with approval of voters in counties with more than 75,000 people. Nebraska has 11 juvenile judges.

The workers' compensation court consists of seven judges who have statewide jurisdiction. They travel statewide to hold hearings in county seats. The workers' compensation court administers and enforces the Nebraska Workers' Compensation Act, and it has original jurisdiction over claims for workers' compensation benefits resulting from job-related injuries or illnesses. Disputed claims for workers' compensation are submitted to the court for finding, award, order or judgment. All industrial accidents must be reported to the court.

Prior to 1964, judges were elected to office. In 1962, voters approved a constitutional amendment providing for a merit plan for selection and retention of Supreme Court and district judges. Today, the governor appoints all judges, who are subject to periodic retention votes.

When a county or district judge dies, retires, resigns, is removed or is not retained in office, or when there is a need for a change in the number or boundaries of the judicial districts or a change in the number of judgeships required by law, a judicial resources commission meets to determine whether a vacancy exists and the location of the vacancy. Commission members include seven citizens, four judges and six attorneys. After the location is determined, a judicial nominating commission meets to accept applications for the available judgeship. The commission then submits the names of at least two qualified lawyers to the governor. Each judicial nominating commission is made up of four lawyers selected by the Nebraska State Bar Association and four nonlawyers appointed by the governor. The chairperson of the judicial nominating commission is a member of the Supreme Court. This judge is a nonvoting member. A commission must have no more than two lawyers or two nonlawyer members from either political

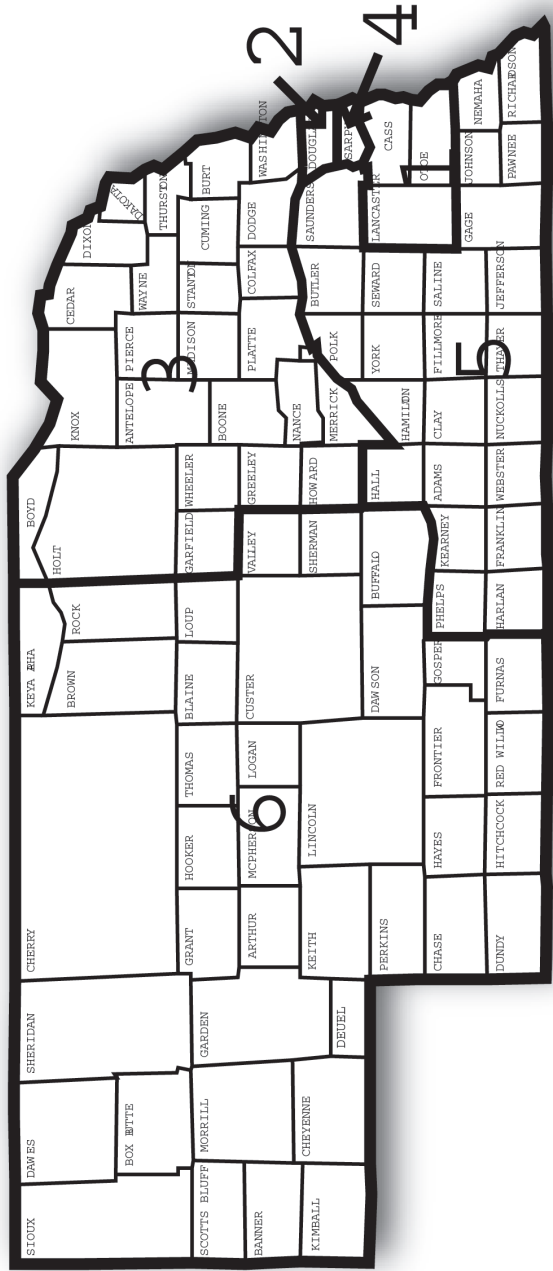
party, and members must live in the district in which they serve. Generally, the governor makes final decisions on who will become the new judge. However, if the governor makes no appointment within 60 days after receiving the list of nominees, the chief justice makes the appointment from the list.

Judges in Nebraska courts must be U.S. citizens, be at least 30 years old, have been lawyers in Nebraska for at least five years before appointment, be admitted to practice before the Nebraska Supreme Court and be residents and qualified electors of the districts to be represented on the date of appointment. District, county and separate juvenile court judges must continue living in their districts while serving. Workers' compensation court judges must live in Lancaster County unless court members vote for a judge to live elsewhere.

A judge must run for retention in office at the first general election held more than three years after his or her appointment and every six years thereafter. Judges may retire at age 65 but are not required to retire at any age. Earlier retirement due to disability may be approved by the Commission on Judicial Qualifications, which also investigates complaints against judges.

In 1966, Nebraska voters adopted a constitutional amendment providing for the Commission on Judicial Qualifications, which reviews complaints from the public about judges' behavior. The commission can reprimand judges and order formal hearings on the matters in question. The 10-member commission is composed of the chief justice, who serves as its permanent chairperson; three judges appointed by the Supreme Court; three lawyers appointed by the Nebraska State Bar Association; and three citizens appointed by the governor. State law says judges may be disciplined for behavior that violates the laws and purposes of their office, misconduct in office, failure to perform their duties, conviction of a crime involving moral turpitude or disbarment.

Nebraska Supreme Court and Court of Appeals Judicial Districts<sup>1</sup>



<sup>1</sup> Boundaries established by LB 853 in the 2001 legislative session.

## NEBRASKA SUPREME COURT

**Office Address:** Room 1213, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3730, Web site — [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov)

**State Court Administrator:** Janice K. Walker

**Statutory References:** Nebraska Constitution, Article V, Section 1; and 24-201

**Salary of Supreme Court Judges:** \$119,276

**Publications:** *Nebraska Reports, Volumes 1-213*

The Nebraska Supreme Court had its origin in the Organic Act, which created the Nebraska Territory on May 30, 1854. This act declared that the Supreme Court shall consist of a chief justice and two associate judges. The constitutions of 1866 and 1875 provided for three judges. Before the constitution of 1875, the Supreme Court judges also presided over district courts. As the Supreme Court caseload increased, the 1901 Legislature authorized the Supreme Court to appoint nine commissioners to help clear the docket. The 1905 Legislature reduced the number of Supreme Court commissioners to six. By a 1908 constitutional amendment, Supreme Court membership increased from three to seven judges. Legislation passed in 1913 provided for electing judges on a nonpartisan ballot starting in 1914. An amendment submitted by the 1920 constitutional convention called for six judges to be elected by the electors of six districts, with the chief justice to be elected at large.

To speed up the court's work, an amendment submitted by the constitutional convention of 1920 allowed the Supreme Court to sit in division, empowering the chief justice to appoint district judges to sit with the Supreme Court in order to have five judges in each division. Cases involving a statute's constitutionality and all appeals of homicide convictions had to be heard by the undivided court. In 1925 and 1927, the Legislature provided for six Supreme Court commissioners to help with the court's caseload. The 1929 Legislature reduced the number of commissioners to three. Commissioners were no longer used after 1931 at the request of the court.

The Supreme Court consists of a chief justice selected at large and six associate justices selected from six districts in Nebraska. Judges must be at least 30 years old and have lived in Nebraska for at least three years before their selection.

The Supreme Court has original jurisdiction in cases relating to revenue, civil cases in which the state is a party, mandamus, quo warranto, habeus corpus, election contests involving state officers other than state senators, and appellate jurisdiction as may be provided by law. The Supreme Court also hears all appeal cases regarding the death penalty, the sentence of life imprisonment or cases in which constitutional questions are raised. The judges comprise the State Library board of directors.

Judge	Represents	Term Expires
William M. Connolly, Hastings .....	District 5 .....	January 2011
John M. Gerrard, Norfolk .....	District 3 .....	January 2011
Michael G. Heavican, Lincoln (Chief Justice) ..	State At Large .....	January 2011
Michael McCormack, Omaha .....	District 4 .....	January 2013
Lindsey Miller-Lerman, Omaha .....	District 2 .....	January 2015
Kenneth C. Stephan, Lincoln .....	District 1 .....	January 2013
John F. Wright, Scottsbluff .....	District 6 .....	January 2011

## Nebraska Supreme Court Judges, 2009



### MICHAEL G. HEAVICAN (CHIEF JUSTICE)

#### STATE AT LARGE

**Office Address:** Room 2214, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3738, fax (402) 471-0297, e-mail address — mheavican@nsc.state.ne.us

**Took office as Nebraska Supreme Court Chief Justice:** Oct. 1, 2006, to replace retiring Chief Justice John V. Hendry

**Biography:** Born Aug. 4, 1947, in Columbus. Graduate of University of Nebraska-Lincoln (B.A.), 1969; University of Nebraska College of Law (J.D.), 1974. Former: U.S. Attorney for the District of Nebraska, appointed by President George W. Bush on Sept. 21, 2001, 2001-06; Acting First Assistant U.S. Attorney, Criminal Chief, Acting U.S. Attorney, 1991-2001; Lancaster County Attorney, 1981-90; Deputy Lancaster County Attorney, 1975-81.

### KENNETH C. STEPHAN

#### DISTRICT 1

**Office Address:** Room 2211, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3737, fax (402) 471-2197, e-mail address — kstephan@nsc.state.ne.us

**Took office as Nebraska Supreme Court Judge:** March 10, 1997, to replace retiring Judge Dale E. Fahrnbruch; retained in office 2000 and 2006

**Biography:** Born in Omaha. Graduate of Omaha Central High School, 1964; University of Nebraska (B.A.), 1968; University of Nebraska College of Law (J.D. with high distinction), 1972. Married Sharon Ross Stephan, April 19, 1969; three children: Alissa Potocnik, Karen Borchert and Charles Stephan. Military service: U.S. Army, 1969-71. Former: private practice attorney with Knudsen, Berkheimer, Richardson, Endacott & Routh, Lincoln, 1973-97. **Member:** Nebraska State Bar Association (former chairman, Young Lawyers Section; former member, House of Delegates); Lincoln Bar Association (former member, board of trustees); judicial fellow, American College of Trial Lawyers; administrator, Robert Van Pelt American Inn of Court.





## Nebraska Supreme Court Judges, 2009 (Cont'd.)



### LINDSEY MILLER-LERMAN DISTRICT 2

**Office Address:** Room 2222, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3734, fax (402) 435-7872, e-mail address — [lmiller-lerman@nsc.state.ne.us](mailto:lmiller-lerman@nsc.state.ne.us)

**Took office as Nebraska Supreme Court Judge:** Sept. 1, 1998, to replace retiring Judge D. Nick Caporale; retained in office 2002 and 2008

**Biography:** Graduate of Wellesley College, Wellesley, Mass. (B.A.), 1968; Columbia University School of Law, New York City (J.D.), 1973. Two children: Hannah and Jeremy. Former: chief judge, Nebraska Court of Appeals, 1995-98; judge, Nebraska Court of Appeals, 1992-95; partner, Kutak Rock & Campbell, 1980-92; associate, Kutak Rock & Huie, 1976-79; law clerk and research assistant positions held at various locations, 1969-75; law clerk, U.S. District Court (Southern District of New York). **Member:** American Bar Association; Association of the Bar of the City of New York; National

Association of Women Judges; Nebraska State Bar Association; Omaha Bar Association; Indigent Defense Task Force. **Former member:** board of directors, Tuesday Musical; Judicial Ethics Committee, Securities Industry Association, Compliance and Legal Division; chairwoman, Civil Procedure and Practice Committee of the Federal Court, District of Nebraska; member, Program Committee of the Judicial Conference for the Court of Appeals, 8th Circuit; board of directors, Landmarks Preservation Inc.; board of directors, Children's Museum; board of directors, Art Omaha. **Publications:** *Creighton Law Review*; *Litigation News & Notes*; *American Bar Association Journal*; *The National Law Journal*; *Columbia Law Review*; *Wisconsin Law Review*; *Annals of Internal Medicine*. **Honors and awards:** College of St. Mary, Omaha (honorary degree), 1993.

### JOHN M. GERRARD

### DISTRICT 3

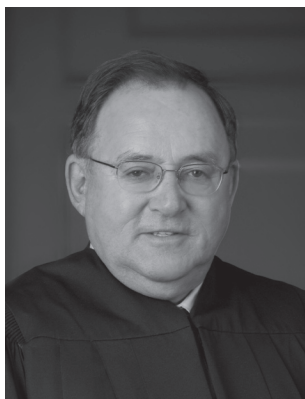
**Office Address:** Room 2219, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3736, fax (402) 471-2197

**Took office as Nebraska Supreme Court Judge:** July 6, 1995, to fill vacancy created when Judge C. Thomas White was appointed chief justice; retained in office 1998 and 2004

**Biography:** Born Nov. 2, 1953, in Schuyler. Graduate of Nebraska Wesleyan University (B.S.), 1975; University of Arizona (M.P.A.), 1977; University of the Pacific, McGeorge School of Law (J.D.), 1981. Married Nancy Fickenscher, March 11, 1977; four children: Erin, Michaela, Eric and Mitchell. Admitted to Nebraska State Bar Association, U.S. District Court for the District of Nebraska and 8th U.S. Circuit Court of Appeals, 1981. Former: private practice attorney, Norfolk, 1981-95. **Member:** Nebraska State Bar Association; American Bar Association; Board Certified (Civil), National Board of Trial Advocacy; American Board of Trial Advocates.



## Nebraska Supreme Court Judges, 2009 (Cont'd.)



### **MICHAEL MCCORMACK** **DISTRICT 4**

**Office Address:** Room 2218, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-4345, fax (402) 471-3482

**Took office as Nebraska Supreme Court Judge:** March 19, 1997, to replace Judge David J. Lanphier, who was voted out of office in 1996; retained in office 2000 and 2006

**Biography:** Born July 20, 1939, in Omaha. Graduate of Creighton University (J.D.), 1963. Married Mary Kay Hartmann, April 22, 1967; three children: Kelley, Kris and Shannon. Former attorney with McCormack, Cooney, Hillman & Elder, Omaha.

### **WILLIAM M. CONNOLLY**

### **DISTRICT 5**

**Office Address:** Room 2210, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3733, fax (402) 471-2197

**Took office as Nebraska Supreme Court Judge:** Dec. 15, 1994, to replace retiring Judge Leslie Boslaugh; retained in office 1998 and 2004

**Biography:** Graduate of Creighton Preparatory School, 1956; Creighton University School of Law (J.D.), 1963. Married Betty Conley Wade. Three children: Cecilia Smith, Thomas G. Connolly and Katherine Connolly; two stepchildren: Roxanne Stingley and Jon P. Wade. Former: Nebraska Court of Appeals judge, 1992-94; Conway, Connolly & Pauley, 1972-91; Adams County attorney, 1967-72; deputy Adams County attorney, 1964-66. **Member:** judicial fellow, American College of Trial Lawyers. **Former member:** executive council, Nebraska State Bar Association, 1986-90; board of directors, Nebraska Association of Trial Attorneys, 1972-76; Nebraska State Bar Association House of Delegates, 1971-73; president, Nebraska County Attorneys Association, 1972.



## Nebraska Supreme Court Judges, 2009 (Cont'd.)

### JOHN F. WRIGHT

### DISTRICT 6

**Office Address:** Room 2207, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3735, fax (402) 471-3480

**Took office as Nebraska Supreme Court Judge:** Feb. 25, 1994, to replace retiring Judge Thomas M. Shanahan; retained in office 1998 and 2004

**Biography:** Born Dec. 24, 1945, in Scottsbluff. Graduate of University of Nebraska (B.S.), 1967; University of Nebraska College of Law (J.D.), 1970. Married Deborah Johnson, July 7, 1972; four children: Jane, Charles, John Floyd and Ellen. Military service: U.S. Army, 1970; Nebraska National Guard, 1970-76. Former: Nebraska Court of Appeals judge, 1992-94; private practice attorney, 1970-91. **Member:** elder and deacon, First Presbyterian Church, Scottsbluff; Scottsbluff-Gering Twin Cities Development Foundation; Riverside Zoo Association; Panhandle Humane Society. **Former member:** Judicial Ethics Advisory Committee, 1992-94; Coordinating Commission for Postsecondary Education, 1991-92; Scottsbluff Rotary Club, 1972-92; Teacher Enrichment Committee, 1988-91; Scottsbluff Board of Education, 1980-87 (president 1984, 1986); president, Western Nebraska Bar Association, 1986; board of directors, Panhandle Legal Services, 1970-74.



## Nebraska Supreme Court Judges, 1854-2009

### Territorial

Judge	Term of Office
Fenner Ferguson.....	1854-1857
Edward R. Harden.....	1854-1860
James Bradley.....	1854-1857
J.W. Underwood.....	1857 <sup>1</sup>
Samuel W. Black.....	1857-1859
Eleazer Wakeley.....	1857-1861
Augustus Hall.....	1858-1861
Joseph Miller.....	1859-1860
William Pitt Kellogg.....	1861-1865 <sup>2</sup>
William F. Lockwood.....	1861-1867
Joseph E. Streeter.....	1861-1863
Elmer S. Dundy.....	1863-1867
William Kellogg.....	1865-1867

<sup>1</sup> Listed as an associate judge of the Supreme Court in Complete Session Laws, 1855-87, Vol. 1, Page 370.

<sup>2</sup> Granted leave of absence by President Lincoln to join the 7th Illinois Cavalry. Served as colonel in the regiment from Sept. 8, 1861, to June 1, 1862. Resigned as territorial chief justice in 1865.

### State

Judge	Supreme Court Term of Office	Chief Justice Term of Office	Associate Term of Office
William A. Little <sup>3</sup> .....	-	-	-
Oliver P. Mason .....	1867 <sup>4</sup> -1873	1867-1873	-
George B. Lake.....	1867-1884	1873-1878	1867-1873
	-	1882-1884	1878-1882
Lorenzo Crounse.....	1867-1873	-	1867-1873
Daniel Gantt .....	1873-1878 <sup>5</sup>	1878	1873-1878
Samuel Maxwell.....	1873-1894	1878-1882	1873-1878
	-	1886-1888	1882-1886
	-	1892-1894	1888-1892
Amasa Cobb.....	1878 <sup>6</sup> -1892	1884-1886	1878-1884
	-	1890-1892	1886-1890
Manoah B. Reese .....	1884-1890	1888-1890	1884-1888
	1908-1915	1909-1915	1908-1909
T.L. Norval.....	1890-1902	1894-1896	1890-1894
	-	1900-1902	1896-1900
Alfred M. Post .....	1892-1898	1896-1898	1892-1896
T.O.C. Harrison.....	1894-1900	1898-1900	1894-1898
John J. Sullivan.....	1898-1904	1902-1904	1898-1902
Silas A. Holcomb .....	1900-1906	1904-1906	1900-1904
Samuel H. Sedgwick.....	1902-1908	1906-1908	1902-1906
	1910-1915 <sup>5</sup>	-	1910-1919
John B. Barnes.....	1904-1917	1908-1909	1904-1907
	-	-	1909-1917
Charles B. Letton.....	1906-1925	-	1906-1925
James R. Dean .....	1909 <sup>7</sup> -1910	-	1909-1910
	1917-1935	-	1917-1935

# Nebraska Supreme Court Judges, 1854-2009 (Cont'd.)

## State (Cont'd.)

Judge	Supreme Court Term of Office	Chief Justice Term of Office	Associate Term of Office
Jesse L. Root .....	1909 <sup>7</sup> -1911	-	1909-1911
Jacob Fawcett .....	1909 <sup>7</sup> -1917	1915 <sup>8</sup>	1909-1917
William Rose .....	1909 <sup>7</sup> -1943	-	1909-1943
Francis G. Hamer .....	1911-1918 <sup>5</sup>	-	1911-1918
Conrad Hollenbeck .....	1915 <sup>5,9</sup>	1915	-
Andrew M. Morrissey .....	1915 <sup>10</sup> -1927	1915-1927	-
Albert J. Cornish .....	1917-1920 <sup>5</sup>	-	1917-1920
Chester H. Aldrich .....	1918 <sup>11</sup> -1924 <sup>5</sup>	-	1918-1924
Leonard A. Flansburg .....	1920 <sup>12</sup> -1923	-	1920-1923
George A. Day .....	1920 <sup>13</sup> -1927 <sup>5</sup>	-	1920-1927
Edward E. Good .....	1923-1937 <sup>5</sup>	-	1923-1937
W.H. Thompson .....	1924 <sup>14</sup> -1931	-	1924-1931
Robert E. Evans .....	1925 <sup>5</sup>	-	1925
George A. Eberly .....	1925 <sup>15</sup> -1943	-	1925-1943
Charles A. Goss .....	1927-1938 <sup>5</sup>	1927-1938	-
Francis S. Howell .....	1928 <sup>16</sup> -1929	-	1928-1929
L.B. Day .....	1929-1938 <sup>5</sup>	-	1929-1938
Bayard H. Paine .....	1931-1949	-	1931-1949
Edward F. Carter .....	1935-1971	-	1935-1971
Frederick Messmore .....	1937 <sup>17</sup> -1965	-	1937-1965
Harvey M. Johnsen .....	1939 <sup>18</sup> -1940	-	1939-1940
Robert G. Simmons .....	1939 <sup>19</sup> -1963	1939-1963	-
John W. Yeager .....	1941 <sup>20</sup> -1965	-	1941-1965
E.B. Chappell .....	1943-1961	-	1943-1961
Adolph E. Wenke .....	1943-1961 <sup>5</sup>	-	1943-1961
P.E. Boslaugh .....	1949-1961	-	1949-1961
Harry A. Spencer .....	1961-1979 <sup>23</sup>	1978 <sup>21</sup>	1961-1979
Leslie Boslaugh .....	1961-1994 <sup>23</sup>	-	1961-1994
Robert C. Brower .....	1961 <sup>22</sup> -1967	-	1961-1967
Paul W. White .....	1963-1978 <sup>23</sup>	1963-1978	-
Hale McCown .....	1965 <sup>24</sup> -1983 <sup>23</sup>	-	1965-1983
Robert L. Smith .....	1965 <sup>24</sup> -1973 <sup>23</sup>	-	1965-1973
John E. Newton .....	1967 <sup>24</sup> -1977 <sup>23</sup>	-	1967-1977
Lawrence M. Clinton .....	1971 <sup>24</sup> -1982 <sup>5</sup>	-	1971-1982
Donald Brodkey .....	1974 <sup>24</sup> -1982 <sup>23</sup>	-	1974-1982
C. Thomas White .....	1977 <sup>25</sup> -1998 <sup>23</sup>	1995-1998	1977-1995
Norman Krivosha .....	1978 <sup>24</sup> -1987 <sup>26</sup>	1978-1987	-
William C. Hastings .....	1979 <sup>27</sup> -1995 <sup>23</sup>	1987-1995	1979-1987
D. Nick Caporale .....	1982 <sup>28</sup> -1998 <sup>23</sup>	-	1982-1998
Thomas M. Shanahan .....	1983 <sup>29</sup> -1993 <sup>33</sup>	-	1983-1993
John T. Grant .....	1983 <sup>30</sup> -1993 <sup>23</sup>	-	1983-1993
Dale E. Fahrnbruch .....	1987 <sup>31</sup> -1996 <sup>23</sup>	-	1987-1996
David J. Lanphier .....	1993 <sup>32</sup> -1997 <sup>37</sup>	-	1993-1997
John F. Wright .....	1994 <sup>34</sup>	-	1994
William M. Connolly .....	1994 <sup>35</sup>	-	1994
John M. Gerrard .....	1995 <sup>36</sup>	-	1995-
Kenneth C. Stephan .....	1997 <sup>38</sup>	-	1997-

## Nebraska Supreme Court Judges, 1854-2009 (Cont'd.)

### State (Cont'd.)

Judge	Supreme Court Term of Office	Chief Justice Term of Office	Associate Term of Office
Michael McCormack.....	1997 <sup>39</sup> -	-	1997-
John V. Hendry.....	1998 <sup>40</sup> -2006 <sup>23</sup>	1998-2006	1998-2006
Lindsey Miller-Lerman.....	1998 <sup>41</sup> -	-	1998-
Michael G. Heavican.....	2006 <sup>42</sup> -	2006-	2006-

### Endnotes

<sup>3</sup> Elected in 1867 but died before he qualified.

<sup>4</sup> Appointed in 1867; elected in 1868.

<sup>5</sup> Died while in office.

<sup>6</sup> Appointed in 1878 to fill vacancy created by death of Chief Justice Gantt, then elected 1879.

<sup>7</sup> Constitutional amendment approved in 1908 increased number of Supreme Court judges from three to seven. The governor appointed four judges, two to serve until successors were elected in the 1909 general election, and the other two to serve until successors were elected in the 1911 general election.

<sup>8</sup> Acting chief justice Jan. 21 to 25, 1915.

<sup>9</sup> Served from Jan. 7 to 21, 1915; died Jan. 21, 1915.

<sup>10</sup> Appointed chief justice Jan. 25, 1915, to fill vacancy created by death of Chief Justice Hollenbeck.

<sup>11</sup> Appointed Nov. 16, 1918, to fill vacancy created by death of Judge Hamer. Aldrich died March 10, 1924.

<sup>12</sup> Appointed April 21, 1920, to fill vacancy created by death of Judge Cornish.

<sup>13</sup> Appointed Jan. 8, 1920, to fill vacancy created by death of Judge Sedgwick. Judge Day died Dec. 20, 1927.

<sup>14</sup> Appointed April 15, 1924, to fill vacancy created by death of Judge Aldrich.

<sup>15</sup> Appointed July 24, 1925, to fill vacancy created by death of Judge Evans.

<sup>16</sup> Appointed Dec. 29, 1927, to fill vacancy created by death of Judge George A. Day.

<sup>17</sup> Appointed Aug. 9, 1937, to fill vacancy created by death of Judge Good.

<sup>18</sup> Appointed Nov. 28, 1938, to fill vacancy created by death of Judge L. B. Day. Term began Jan. 3, 1939. Resigned Nov. 8, 1940, upon appointment to U.S. Circuit Court.

<sup>19</sup> Appointed Nov. 12, 1938, to fill vacancy created by death of Chief Justice Goss. Term began Jan. 5, 1939.

<sup>20</sup> Appointed Nov. 18, 1940, to fill vacancy created by resignation of Judge Johnsen.

<sup>21</sup> Served as chief justice pro tempore from Sept. 18 to Dec. 22, 1978.

<sup>22</sup> Appointed March 13, 1961, to fill vacancy created by death of Judge Wenke.

<sup>23</sup> Retired.

<sup>24</sup> Appointed to fill vacancy.

<sup>25</sup> Appointed Jan. 6, 1977, to replace retiring Judge Newton. Named chief justice Jan. 26, 1995, to replace retiring Chief Justice Hastings.

<sup>26</sup> Resigned July 31, 1987.

<sup>27</sup> Appointed Jan. 31, 1979, to replace retiring Judge Spencer. Named chief justice Sept. 2, 1987, following resignation of Chief Justice Krivosha.

<sup>28</sup> Appointed Dec. 21, 1981, to replace retiring Judge Brodkey.

<sup>29</sup> Appointed March 24, 1983, to fill vacancy created by death of Judge Clinton.

<sup>30</sup> Appointed Sept. 1, 1983, to replace retiring Judge McCown.

<sup>31</sup> Appointed Nov. 13, 1987, to fill vacancy created when Judge Hastings was named chief justice.

<sup>32</sup> Appointed Oct. 14, 1992, to replace retiring Judge Grant.

<sup>33</sup> Resigned to serve on federal court bench.

<sup>34</sup> Appointed Jan. 27, 1994, to replace Judge Shanahan, who resigned to serve on federal court bench.

<sup>35</sup> Appointed Nov. 17, 1994, to replace retiring Judge Leslie Boslaugh.

<sup>36</sup> Appointed April 20, 1995, to fill vacancy created when Judge C. Thomas White was named chief justice.

<sup>37</sup> Voters removed Judge Lanphier from the bench in 1996.

<sup>38</sup> Appointed Jan. 27, 1997, to replace retiring Judge Farhnbruch.

<sup>39</sup> Appointed Jan. 28, 1997, to fill vacancy created when voters removed Judge Lanphier from the bench.

<sup>40</sup> Appointed chief justice Aug. 5, 1998, to replace retiring Chief Justice C. Thomas White.

<sup>41</sup> Appointed Aug. 5, 1998, to replace retiring Judge Caporale.

<sup>42</sup> Appointed Oct. 1, 2006, to replace retiring Judge Hendry.

## Supreme Court Officers

### *State Court Administrator*

**Office Address:** Room 1213, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3730, Web site — [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov)

**State Court Administrator:** Janice K. Walker

**Statutory Reference:** Nebraska Constitution, Article V, Section 1

The Nebraska Constitution, as amended in 1970, vests general administrative authority over all courts in the Supreme Court and provides that the chief justice exercise this authority. It also provides that the chief justice serve as executive head of the courts and may appoint an administrative director.

The court administrator develops coordination within the judicial branch and with other agencies involved in programs affecting the courts. The administrator also develops statistics, prepares budgets, develops plans for judicial system improvement and serves as a central source for information about the courts.

### *Office of Dispute Resolution*

**Office Address:** Executive Building, Suite 200, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3148, Web site — [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov)

**Director:** Debora Brownyard

**Statutory Reference:** 25-2904

The 1991 Legislature created the Office of Dispute Resolution within the office of the state court administrator. The state office coordinates the development of mediation throughout the state and approves mediation centers, which serve as an alternative means to resolving problems. Mediators are neutral individuals who help conflicting parties resolve their problems mutually. The mediation centers can handle all types of civil cases, such as family and juvenile matters, landlord/tenant, employer/employee, community, environmental, welfare, business, education, public policy and small claims disputes. The mediation centers receive referrals from courts, agencies, legislatures, government agencies, organizations and individuals. Regional mediation centers serve all counties in Nebraska.

Mediation Center	Location	Phone Number
Center for Conflict Resolution.....	Scottsbluff .....	(800) 967-2115
Central Mediation Center.....	Kearney.....	(800) 203-3452
Concord Center.....	Omaha.....	(402) 345-1131
The Mediation Center.....	Lincoln.....	(402) 441-5740
Nebraska Justice Center.....	Freemont.....	(866) 846-5576
The Resolution Center.....	Beatrice.....	(800) 837-7826

### **Dispute Resolution Advisory Council**

**Statutory Reference:** 25-2905

When the Office of Dispute Resolution was created in 1991, the Legislature also created an advisory council to assist the office's implementation of the Dispute Resolution Act. The 11 council members are appointed by the state Supreme Court. Members

include representatives from the Nebraska District Court Judges Association, Nebraska County Judges Association, Nebraska State Bar Association, Office of the Public Counsel, social workers, mental health professionals, educators and other interested groups or individuals. Two nonvoting ex officio members are appointed to represent mediation centers. Members serve three-year terms. The council meets at least four times per year. Members are not paid but are reimbursed for expenses.

Member	Represents	Term Expires
John W. Ballew, Lincoln.....	Attorney.....	Dec. 31, 2010
Michael Baumfaulk, Beatrice.....	Health and Human Services.....	Dec. 31, 2008
Mary Lee Brock, Omaha.....	Ex Officio.....	Dec. 31, 2008
Carl Eskridge, Lincoln.....	Ombudsman's Office.....	Dec. 31, 2008
Hon. Curtis H. Evans, York.....	County Court Judge.....	Dec. 31, 2008
Lynn Favinger, Scottsbluff.....	Ex Officio.....	Dec. 31, 2009
Alan Frank, Lincoln.....	UNL College of Law.....	Dec. 31, 2008
Mike Mullin, Omaha.....	Nebraska State Bar Association.....	Dec. 31, 2009
Arthur Pearlstein, Omaha.....	Creighton University School of Law.....	Dec. 31, 2009
Michael W. Pirtle, Omaha.....	Attorney.....	Dec. 31, 2010
Hon. John Samson, Fremont.....	District Court Judge.....	Dec. 31, 2010
Carrie Sheldon, Grand Island.....	Therapist.....	Dec. 31, 2009
John S. Slowiaczek, Lincoln.....	Attorney.....	Dec. 31, 2010

### ***Reporter of the Supreme Court and Court of Appeals***

**Office Address:** Room 1214, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3739, Web site — [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov).

**Reporter of the Supreme Court and Court of Appeals:** Peggy J. Polacek

**Statutory References:** 24-211 and 24-1109

The reporter of the Supreme Court and Court of Appeals is appointed by the Supreme Court and performs the following functions:

- oversees editing of Supreme Court and Court of Appeals decisions; has such decisions published in advance pamphlet form and bound volumes; has bound volumes of decisions copyrighted
- supervises preparation and editing of annotations to the Supreme Court, Court of Appeals and federal court decisions and has such annotations transmitted to the revisor of statutes
- performs other functions as directed by the courts

### ***Clerk of the Supreme Court***

**Office Address:** Room 2413, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3731

**Clerk of the Supreme Court:** Lanet S. Asmussen

**Statutory References:** 24-211 and 24-1109

The state constitution authorizes the Supreme Court to appoint the clerk of the court. The clerk is custodian of the seal of the court and performs other duties as ordered by the court. The clerk of the Supreme Court also serves as the clerk of the Court of Appeals.



### *State Library*

**Office Address:** State Capitol, Third Floor, P.O. Box 98931, Lincoln, NE 68509-8931, phone (402) 471-3189

**State Librarian:** Marie Wiechman

**Statutory Reference:** 51-101

The state library is the oldest public library in the state. The Kansas-Nebraska Act of May 30, 1854, established a territorial library to be kept at the seat of state government, then in Omaha, for members of the government and others as prescribed by law.

The Legislature created the office of territorial librarian in March 1855. The library's collection grew to about 4,000 books by 1860. The territorial auditor and later the secretary of state served as librarian. In 1868, the library was secretly moved in the middle of the night from Omaha to the new Capitol in Lincoln. In 1871, the library was separated into two sections: law and miscellaneous. The clerk of the Supreme Court was responsible for the law books. The secretary of state retained the miscellaneous collection. Both collections were put under the supervision of the Supreme Court clerk in 1913. In 1968, the miscellaneous collection was given to other libraries, leaving only law books in the state library.

There are about 140,500 volumes housed in the library's quarters. The Supreme Court judges constitute the library's governing board.

## Nebraska Territorial Supreme Court Officers, 1855-67\*

### *Librarians*

James S. Izard.....	March 16, 1855	Alonzo D. Luce .....	Nov. 7, 1859
H. C. Anderson.....	Nov. 6, 1855	Robert S. Knox.....	June 1861
John H. Kellom .....	Aug. 3, 1957		

### *Clerks of the Supreme Court*

J. Sterling Morton .....	1855	E. B. Chandler.....	1859
H. C. Anderson.....	1856	John H. Kellom .....	1861
Charles S. Salisbury .....	1858	William Kellogg, Jr.....	1865

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\*All dates listed indicate beginning of terms.

## Nebraska State Supreme Court Officers, 1867-2009

### *State Librarians\**

Thomas P. Kennard ..... June 22, 1867      William H. James ..... Jan. 10, 1871

### *Clerk of the Supreme Court\**

George Armstrong ..... June 11, 1867

### *Supreme Court Commissioners<sup>1</sup>*

Robert Ryan .....	1893-1899	Edward E. Good .....	1907-1909
John M. Ragan .....	1893-1899	Elisha C. Calkins .....	1907-1909
Frank Irvine .....	1893-1899	Jesse L. Root .....	1908-1909
William G. Hastings .....	1901-1904	William C. Parriott .....	1915-1919
George A. Day .....	1901-1902	Grant C. Martin .....	1915-1919
John S. Kirkpatrick .....	1901-1904	Fred O. McGirr .....	1915-1919
Willis D. Oldham .....	1901-1906	Franklin Shotwell .....	1919-1919
Samuel H. Sedgwick .....	1901-1902	Leonard A. Flansburg .....	1919-1920
Roscoe Pound .....	1901-1902	William C. Dorsey .....	1919-1921
Edward Duffie .....	1901-1909	George W. Tibbets .....	1919-1921
John H. Ames .....	1901-1907		1925-1929
I. L. Albert .....	1901-1907	William M. Cain .....	1920-1921
Charles S. Lobingier .....	1902-1903	John C. Martin .....	1925-1929
Richard C. Glanville .....	1902-1903	Thomas F. Neighbors .....	1925-1927
Charles B. Letton .....	1902-1906	William T. Thompson .....	1925-1929
John B. Barnes .....	1902-1904	Charles E. Sandall .....	1925-1929
Jacob Fawcett .....	1904-1908	Wilmer W. Wilson .....	1925-1931
N. D. Jackson .....	1905-1909	Frederick L. Wolff .....	1927-1931
Ambrose C. Epperson .....	1906-1909	Claude A. Davis .....	1928-1931

### *Clerks and Reporters of the Supreme Court and State Librarians*

Guy A. Brown .....	1868-1889 <sup>2</sup>	Lee Herdman .....	1900-1904
Walter A. Leese .....	1889 <sup>3</sup>	Harry C. Lindsay .....	1904-1921
D. A. Campbell .....	1890-1900		

### *Clerks of the Supreme Court*

Harry C. Lindsay .....	1921-1927	Larry D. Donnelson .....	1977-1983
Charles B. Letton .....	1927-1932	Kenneth A. Wade .....	1983-1987 <sup>4</sup>
George H. Turner .....	1932-1977	Lanet S. Asmussen .....	1987-

### *Reporters of the Supreme Court*

J. M. Woolworth .....	1870*	Marvin L. Green .....	1977-1979
Lorenzo Crounse .....	1873*	Jill Nagy .....	1980-1981
Henry P. Stoddart .....	1921-1944	Don Patton .....	1981-1986
Walter D. James .....	1944-1945 <sup>6</sup>	Kathleen Sollars .....	1987-1989 <sup>7</sup>
William E. Peters .....	1968-1971	Steven R. Schroeder .....	1989-1992 <sup>8</sup>
H. Emerson Kokjer .....	1971-1977	Peggy J. Polacek .....	1992-

## Nebraska State Supreme Court Officers, 1867-2009 (Cont'd.)

### *Reporter of the Supreme Court and Revisor of Statutes*

Walter D. James.....1945<sup>9</sup>-1968<sup>10</sup>

\* Dates listed indicate beginning of terms.

<sup>1</sup> The use of Supreme Court commissioners was terminated in 1931, at the request of the Supreme Court.

<sup>2</sup> Appointed clerk Aug. 8, 1868, and appointed librarian March 3, 1871. Appointed reporter 1875; died Oct. 27, 1889.

<sup>3</sup> Appointed Oct. 29, 1889.

<sup>4</sup> Appointed acting clerk of the Supreme Court and state librarian 1983 and served until 1987.

<sup>5</sup> Appointed acting clerk of the Supreme Court and state librarian Jan. 16, 1987, and became clerk of the Supreme Court and state librarian Sept. 1, 1987.

<sup>6</sup> Appointed reporter of the Supreme Court Dec. 1, 1944; served until Feb. 23, 1945.

<sup>7</sup> Appointed acting reporter of the Supreme Court Jan. 14, 1987, and became reporter of the Supreme Court Sept. 1, 1987.

<sup>8</sup> Appointed acting reporter of the Supreme Court April 1, 1989, and became reporter of the Supreme Court Sept. 1, 1989.

<sup>9</sup> In 1945, the Legislature provided that the reporter of the Supreme Court serve ex officio as revisor of statutes. The Legislature created the office of revisor of statutes within the Legislative Council effective July 1, 1967.

<sup>10</sup> Died Feb. 18, 1968.

## Office of Probation Administration

**Office Address:** Room 1207, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-2141

**Probation Administrator:** Ellen Fabian Brokofsky

**Statutory Reference:** 29-2249

In 1957, under LB 568, Nebraska adopted a general statewide system that provided for a planned, uniform system of presentence investigations, case studies and coordinated supervision of offenders eligible for probation under court suspension of sentence. Organizationally, the Nebraska District Court Judges Association was initially granted power to exercise general supervision over probation in all district courts. District judges within each probation district appointed chief probation officers who served at the pleasure of the judges. From 1958 to 1971, the statewide probation system functioned primarily for adult felons, and supervision of misdemeanants from the county courts was performed as a courtesy.

In 1971, the Legislature passed LB 680 which: provided for administration of probation in district, county and juvenile courts, except for the separate juvenile courts; created the Office of Probation Administration and outlined the office's duties; created the Field Probation Service and outlined its duties as well as the procedures for discharging offenders from probation; and provided a mechanism for the supervision of offenders through the Interstate Compact. In 1972, LB 1032 created a unified county court system and formally allowed for supervision of probation cases from the county court. In 1978, LB 624 was enacted which prohibited county courts from appointing probation officers. In that same year, LB 625 was enacted, creating the Nebraska Probation System Committee, which assisted the Office of Probation Administration and the Probation Administrator in developing policies and standards for Field Probation Service. In 1985, the Legislature passed LB 13, which merged the municipal courts of

Lincoln and Omaha into the county court systems of Lancaster and Douglas counties and placed the probation personnel of these courts under the supervision of the Office of Probation Administration. The probation personnel of the separate juvenile courts of Douglas, Lancaster and Sarpy counties also were placed under the Office of Probation Administration.

By virtue of LB 529, the Legislature placed probation for district courts under the authority of the Nebraska Supreme Court effective July 1, 1986. The bill called for the Nebraska Probation System Committee to serve as an advisory committee until its duties were taken over by the Nebraska Probation Advisory Committee on July 1, 1988. The committee's role was to provide advice to the Probation Administrator and Supreme Court regarding probation matters. This committee was abolished by the Supreme Court on May 14, 1998, when the court alternatively elected to designate a Supreme Court judge to serve as liaison to the probation system.

In 1990, the Legislature provided for the implementation of the Intensive Supervision Probation (ISP) program. ISP is designed to serve as an intermediate sanction between traditional probation and jail or prison for adults or state commitment for juveniles. Through utilization of a targeting tool, select offenders who have been deemed appropriate for this sanction may be sentenced to ISP. Organizationally, the state is divided into six ISP regions. Each region is staffed by a coordinator, line field staff and support personnel. Twenty officers were hired as part of the initial program in 1990. An additional five juvenile ISP officers were added in 1991 and five more ISP officers were added in July, 1995.

In 1997, the Legislature passed LB 881, directing the Department of Correctional Services to develop and implement an incarceration work camp no later than January 1, 2005, where adult criminal offenders can be placed as a condition of a sentence of probation (statutory reference: 83-4,142 through 83-4,147). LB 881 outlined the work camp's structure and core programming and directed the court to target certain types of eligible felony offenders. Probation Administration's responsibility centers on assisting the court in identifying and assigning appropriate offenders to the work camp, responding to acts of noncompliance while offenders are in the work camp and performing an after care role once the offender completes the work camp and transitions back into the community. After several years of collaboration between the Department of Correctional Services and the probation system, the Nebraska Department of Correctional Services Work Ethic Camp became operational April 30, 2001.

In 2001, the Legislature passed LB 451 to streamline the practice of juvenile intake and create a consistent and uniform method of decision making when law enforcement requests post-arrest detention/placement (statutory reference: 43-250, 43-253 and 43-260). The legislation solidified juvenile intake as an exclusive probation function. Seven juvenile intake probation officers were added to strengthen the Probation Administration's ability to successfully implement this new function statewide.

The practices of juvenile intake were further clarified in 2003 with the passage of LB 43. The bill clarified that a peace officer may retain temporary custody over a juvenile pending a probation officer's detention decision (statutory reference: 43-250). The law also was clarified so that a peace officer contacts the Department of Health

and Human Services, not the Office of Probation Services, when seeking temporary placement of a juvenile (statutory reference: 43-248).

The 2003 Legislature passed LB 46, referred to as the Community Corrections Act, which created a number of criminal justice reforms that directly affected the administration of probation services. Key components of LB 46 included:

- establishment of a Community Corrections Council within the Nebraska Crime Commission to oversee and ensure that a continuum of community corrections is developed for probationers and parolees (statutory reference: 47-1619 through 47-634)

- establishment of probation and parole enrollment and monthly programming fees to support enhanced programming and services, as well as establishing procedures and criteria for determining ability to pay (statutory reference: 29-2262.06, 29-2262.07)

- establishment of a procedure and method of allowing probation officers to impose administrative sanctions for technical offender violations (statutory reference: 29-2266)

- elimination of presentence investigations in Class 3A misdemeanors and lower-class offenses and related traffic and city ordinances (statutory reference: 29-2261)

- development of sentencing guidelines by the Supreme Court. Guidelines for felony drug offenses are to be developed first and delivered to the Court by July 1, 2004 (statutory reference: 47-630)

- creation of a Community Corrections Uniform Data Analysis Fund that is administered by the executive director of the Nebraska Crime Commission, funded by the assessment of an additional \$1 in court costs and used to support data integration efforts among criminal justice entities (statutory reference: 47-632)

- adoption of the Interstate Compact for Adult Offender Supervision (statutory reference: 29-2639)

Nebraska Chief Probation Officers, 2009

District	Chief Probation Officer	Residence
1.....	Gary Hoffman .....	Chadron
2.....	Kathryn Liebers.....	Norfolk
3.....	Rich Chisholm .....	Columbus
4.....	Ron Broich .....	Omaha
5.....	Jodi York.....	Papillion
6.....	Steve Rowoldt .....	Lincoln
7.....	Robert Horton .....	Hastings
8.....	Carroll Brown .....	Grand Island
9.....	Doug Watson .....	North Platte
10.....	Dan Witko .....	Gering
12.....	John McCarty .....	Beatrice
16.....	Bob Denton .....	Fremont
17.....	Kent Lilly .....	Kearney
18.....	Jim Fahy .....	Omaha
20.....	Lori Griggs.....	Lincoln

A map of Nebraska counties with numbers 1 through 20 placed in various counties. A thick black line traces a path through the state, starting from the northwest, passing through the center, and ending in the southeast. The path connects the following counties: Sioux, Scotts Bluff, Kearney, Lincoln, Lancaster, and Adams. The numbers are placed as follows: 1 in Sioux, 2 in Kearney, 3 in Lancaster, 4 in Adams, 5 in Lincoln, 6 in Lancaster, 7 in Adams, 8 in Kearney, 9 in Lincoln, 10 in Scotts Bluff, 11 in Kearney, 12 in Adams, 13 in Lancaster, 14 in Adams, 15 in Kearney, 16 in Lincoln, 17 in Kearney, 18 in Adams, 19 in Lancaster, and 20 in Adams.

<sup>1</sup> Probation districts 5 and 19 were merged into District 5 effective Aug. 26, 1994; probation districts 3 and 14 were merged into District 3 effective Aug. 3, 1998; probation districts 9 and 13 were merged into District 9 effective Oct. 22, 1998; probation districts 4 and 11 were merged into District 4 effective Sept. 1, 1999; probation districts 6 and 15 were merged into District 6 effective Jan. 1, 2002.

## NEBRASKA COURT OF APPEALS

**Statutory References:** Nebraska Constitution, Article V, Section 1; and 24-1101

The Nebraska Court of Appeals, an intermediate appellate court, was established on Sept. 6, 1991, as a result of a constitutional amendment approved by voters in the 1990 general election. The 1991 Legislature passed enabling legislation that determined the specifics of the court. The court was created to alleviate the increasing backlog of appeals pending before the Supreme Court and, ultimately, to expedite appellate review of decisions of lower courts and tribunals.

Criminal and civil appeals filed after Sept. 6, 1991, are heard by the Court of Appeals, except for cases involving a death sentence or life imprisonment or cases involving the constitutionality of a statute. Parties to the appeal may file a petition with the Supreme Court to bypass review by the Court of Appeals for direct review by the Supreme Court. Following a decision by the Court of Appeals, any party to a case may petition the Supreme Court for further review of the decision.

The Court of Appeals consists of six judges, with one judge appointed through merit selection from each Supreme Court judicial district. Court of Appeals judges are subject to the same terms relating to selection, filling of vacancy, term of office, discipline, removal from office and retirement as other judges covered by Article V of the Nebraska Constitution. From the six Court of Appeals judges, a chief judge is appointed by the Supreme Court to serve a one-year renewable term. Each Court of Appeals judge may choose any site within the state for his or her office. Court of Appeals judges receive an annual salary totaling 95 percent of a Supreme Court judge's salary.

For purposes of hearing and deciding appeals, Court of Appeals judges sit in panels of three. The membership of the panels is regularly rotated by the chief judge in order to provide each judge an opportunity to serve a proportionate amount of time with every other judge. Although the principal administrative office and courtroom for the Court of Appeals is in the State Capitol, the enabling legislation provides that the court also hears arguments at sites throughout the state by designation of the chief judge.

The enabling legislation for the Court of Appeals provides that the clerk of the Supreme Court and the reporter of the Supreme Court also acts in such capacity for the Court of Appeals. Rules of procedure before the Court of Appeals are to be promulgated by the Supreme Court.

The initial group of Court of Appeals judges took office in 1992 and began hearing cases the third week of February. The court typically schedules arguments for the third week of each month, except during August, when the court is in recess.

The written opinions of the court are available to the public in printed format in *The Decisions of the Nebraska Court of Appeals* and at the court's Web site — [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov). Those decisions which are permanently published are published in a bound volume entitled *Nebraska Appeals*.



Judge	Represents	Term Expires
Theodore L. Carlson, Omaha .....	District 2.....	January 2015
William B. Cassel, O'Neill.....	District 3.....	January 2015
Everett O. Inbody, Wahoo (Chief Judge).....	District 5.....	January 2011
John F. Irwin, Papillion.....	District 4.....	January 2015
Frankie J. Moore, North Platte.....	District 6.....	January 2011
Richard D. Sievers, Lincoln.....	District 1.....	January 2015

## Nebraska Court of Appeals Judges, 2009



### RICHARD D. SIEVERS

### DISTRICT 1

**Office Address:** State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-9035, fax (402) 471-4148

**Took office as Court of Appeals Judge:** Jan. 7, 1992; retained in office 1996, 2002 and 2008; served as chief judge, December 1991-December 1995

**Biography:** Born Dec. 31, 1947. Graduate of Kearney State College (B.A.), 1970; University of Nebraska College of Law (J.D.), 1972. Married Maggie St. John, Aug. 31, 1969; three daughters. Former: attorney with law firm of Bruckner, O'Gara, Keating, Sievers & Hendry. **Member:** Nebraska State Bar Association; chairman, Nebraska Supreme Court Committee on Pro Se Litigation, 2001-present. **Former member:** adjunct faculty, University of Nebraska-Lincoln College of Law in Trial Advocacy, 1988-2000; Nebraska State Bar Association Committee on Mandatory Continuing Legal Education, 1994; Nebraska State Bar Association Long-Range Planning Committee, 1993; board of directors, Nebraska Continuing Legal Education, 1987-93; board of directors, Legal Services of

Southeast Nebraska, 1977-89 (president, 1987-89).

### THEODORE L. CARLSON

### DISTRICT 2

**Office Addresses:** 1819 Farnam St., Omaha, NE 68183, phone (402) 595-1112, fax (402) 595-1016; State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-9036, e-mail address — tedcarlson@nsc.state.ne.us

**Took Office as Court of Appeals Judge:** Dec. 1, 1998, to replace Judge Lindsey Miller-Lerman, who was appointed to the Nebraska Supreme Court; retained in office 2002 and 2008

**Biography:** Born July 23, 1938, in Wakefield. Graduate of Omaha University (B.A.), 1960; Creighton University Law School (L.L.B.), 1963, (J.D.), 1968. Married Debra Carlson, June 27, 1981; one child, Zackary. Former: Douglas County district judge, 1983-98 (presiding judge, two terms); Omaha municipal judge, 1971-83 (presiding judge, two terms); assistant Omaha city attorney, 1969-71; assistant Omaha city prosecutor, 1966-69. **Member:** Nebraska State Bar Association, Omaha Bar Association; American Bar Association; Fellow of the American Bar Association. **Former member:** Nebraska District Judges Association (secretary-treasurer, president-elect).



## Nebraska Court of Appeals Judges, 2009 (Cont'd.)

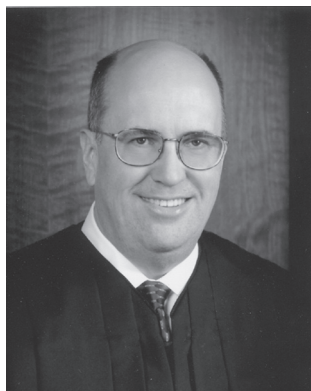
### WILLIAM B. CASSEL

### DISTRICT 3

**Office Address:** State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3732, fax (402) 471-4148, e-mail address — [wbcassel@nsc.state.ne.us](mailto:wbcassel@nsc.state.ne.us)

**Took Office as Court of Appeals Judge:** Jan. 5, 2004, to replace Judge Edward E. Hannon; retained in office 2008

**Biography:** Born Sept. 20, 1955, in Ainsworth. Graduate of the University of Nebraska-Lincoln (B.S. in accounting with distinction), 1977; University of Nebraska College of Law (J.D. with distinction), 1979. Married Audrey J. Cassel, Aug. 12, 1978; two children, John Benjamin and Christina Marie. Former: district court judge, 15th district (merged into 8th district), 1992-2004; sole practitioner, Cassel and Cassel, 1981-92; partner, Cassel and Cassel, 1979-81. **Member:** Nebraska State Bar Association (judiciary committee, 1999-2005; house of delegates, 1983-92; committee on real estate practice guidelines, 1987-97; chairman, 1988-90; legal services advisory committee, 1987-89, chairman 1987-88); American Bar Association; Supreme Court Committee on Pro Se Litigation, 2001-2004; Supreme Court Committee on Technology, 1999-present and Chairman, 2004-present; Supreme Court Automation Advisory Committee, 1995-present; Judicial Ethics Committee, 2002-04, 2007-present. **Former member:** District Judges Education Committee, 1995-2004; city attorney of Johnstown, 1981-92; city attorney of Long Pine, 1981-92; member and board secretary, Ainsworth Airport Authority, 1980-92; city attorney of Ainsworth, 1979-92. **Honors and awards:** co-recipient, Nebraska Supreme Court award for Distinguished Judge for Service to the Community, 2002; fellow, Nebraska State Bar Foundation, elected 1994; fellow, American Bar Foundation, elected 2006.



### JOHN F. IRWIN

### DISTRICT 4

**Office Addresses:** Sarpy County Courthouse, Box 10, 1210 Golden Gate Drive, Papillion, NE 68046, phone (402) 593-4491, fax (402) 593-4493; State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-9038, e-mail address — [jirwin@nsc.state.ne.us](mailto:jirwin@nsc.state.ne.us).

**Took Office as Court of Appeals Judge:** Jan. 13, 1992; retained in office 1996, 2002 and 2008; served as chief judge, September 1998-September 2004.

**Biography:** Born May 25, 1952, in Omaha. Graduate of University of Nebraska at Omaha (B.A.), 1974; Creighton University School of Law (J.D.), 1977. Former: chief deputy Sarpy County attorney, 1990-92; deputy Sarpy County attorney, 1981-90; private practice, 1977-81. **Member:** chair, Judicial Branch Education Advisory Committee; National Council of Chief Judges Executive Committee; co-chair, Civil, Criminal, and Juvenile Justice Subcommittee of the Minority Justice Committee. **Former member:** Judicial Ethics Advisory Committee (chair); Nebraska Supreme Court Technology Committee (co-chair); National Council of Chief Judges (education chair); Sarpy County Bar Association (president).

## Nebraska Court of Appeals Judges, 2009 (Cont'd.)



**EVERETT O. INBODY**

**DISTRICT 5**

**(CHIEF JUDGE)**

**Office Addresses:** 112 E. Seventh St., Wahoo, NE 68066, phone (402) 443-5180, fax (402) 443-5285; State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-9039, e-mail address — rinbody@ncs.state.ne.us

**Took Office as Court of Appeals Judge:** April 20, 1995, to replace Judge William M. Connolly, who was appointed to the Nebraska Supreme Court; retained in office 1998 and 2004; appointed chief judge Sept. 13, 2004

**Biography:** Born Sept. 13, 1945, in Columbus. Graduate of University of Nebraska (B.S.), 1967; University of Nebraska College of Law (J.D.), 1970; American Academy of Judicial Education: Diploma of Judicial Skills, 1990; Diploma of Humanities and Judging, 1999. Married Patricia A. (Lee) Inbody; three children: Bernard, Rebecca and Benjamin. Former: district judge, 5th Judicial District, 1991-95; county judge, 5th Judicial District, 1986-91; partner, Haessler, Sullivan and Inbody,

1974-86; associate, Haessler and Sullivan, 1970-74; director, Regions 4, 5 and 6 of the Nebraska State Crime Commission, 1970-78; deputy county attorney, Saunders County, 1970-75. **Member:** co-chair, Nebraska Supreme Court Committee on Children in the Courts, 2004-present; Nebraska State Bar Association Judiciary Committee. **Former member:** president, Nebraska County Judges' Association, 1990-91; Judicial Nominating Commission, 1979-86; Nebraska State Bar Association Executive Committee, 1978-79; adjunct faculty member, John F. Kennedy College, 1970-71; chairman, Nebraska State Bar Association Young Lawyers Section, member House of Delegates; National Council of Juvenile and Family Court Judges; Nebraska District Judges' Association and Education Committee.

**FRANKIE J. MOORE**

**DISTRICT 6**

**Office Addresses:** 300 E. Third St., Suite 254, North Platte, NE 69101, phone (308) 535-8342, fax (308) 535-8344; State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-9037

**Took Office as Court of Appeals Judge:** Jan. 28, 2000, to replace Judge Wesley C. Mues, who died; retained in office 2004

**Biography:** Born Aug. 13, 1958, in Lincoln. Graduate of Nebraska Wesleyan University (B.A.), 1980; University of Nebraska College of Law (J.D.), 1983. Married Lowell J. Moore; two children: Erica and Sean. Former: judge, Nebraska Commission of Industrial Relations, 1989-2000; partner, McCarthy, Gale, Moore & Hall, 1991-2000; Moore Law Office, 1990-91; associate, Kelley, Scritsmier & Byrne, 1983-1990.

**Former member:** executive board, Nebraska State Bar Association Labor Relations and Employment Law Section; Legislation Committee; Ways, Means and Planning Committee; Task Force on Mandatory Continuing Legal Education; Task Force on Nebraska Judicial Nominating Commission; Federal Practice Committee, U.S. District Court for the District of Nebraska.



Nebraska Court of Appeals Judges, 1991-2009

William M. Connolly.....	1992 <sup>1</sup> -1994 <sup>4</sup>	John F. Irwin <sup>7</sup> .....	1992 <sup>1</sup> -
Lindsey Miller-Lerman <sup>3</sup> .....	1992 <sup>1</sup> -1998 <sup>4</sup>	Everett O. Inbody <sup>11</sup> .....	1995 <sup>6</sup> -
John F. Wright.....	1992 <sup>1</sup> -1994 <sup>4</sup>	Theodore L. Carlson .....	1998 <sup>8</sup> -
Wesley C. Mues.....	1994 <sup>5</sup> -1999	Frankie J. Moore.....	2000 <sup>9</sup> -
Edward E. Hannon.....	1992 <sup>1</sup> -2004	William B. Cassel.....	2004 <sup>10</sup> -
Richard D. Sievers <sup>2</sup> .....	1991 <sup>1</sup> -		

<sup>1</sup> Member of original Court of Appeals. Judges Sievers and Irwin were appointed Dec. 11, 1991; Judges Connolly, Miller-Lerman, Hannon and Wright were appointed Dec. 12, 1991.

<sup>2</sup> Chief judge, 1991-95.

<sup>3</sup> Chief judge, 1996-98.

<sup>4</sup> Resigned upon appointment to Nebraska Supreme Court.

<sup>5</sup> Appointed April 22, 1994, to replace Judge Wright.

<sup>6</sup> Appointed March 7, 1995, to replace Judge Connolly.

<sup>7</sup> Chief judge, 1998-2004.

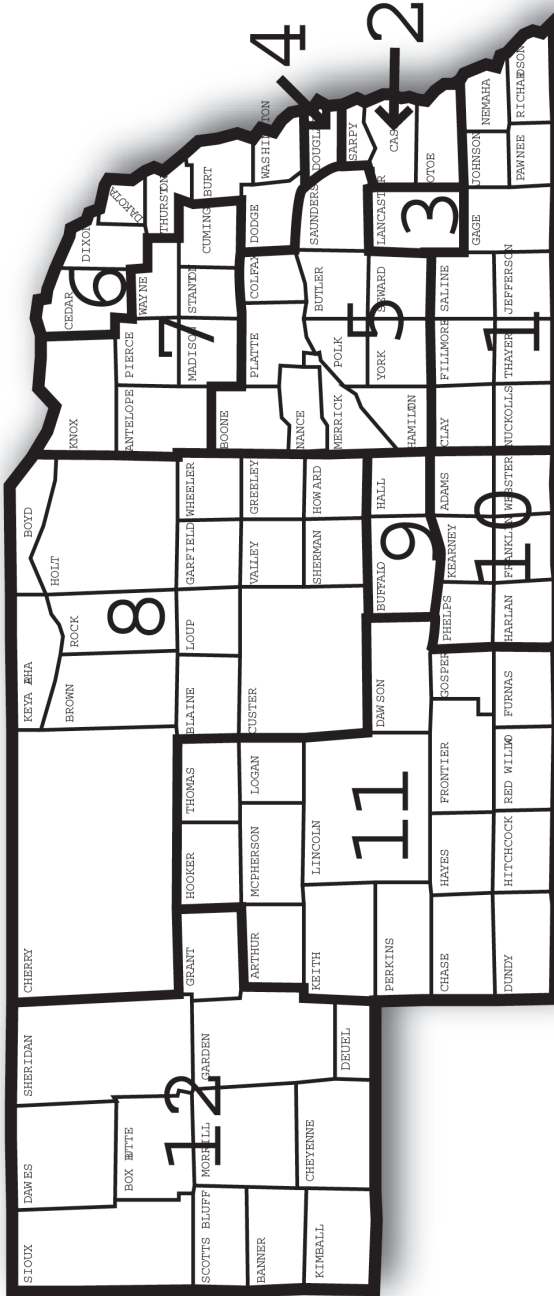
<sup>8</sup> Appointed Nov. 2, 1998, to replace Judge Miller-Lerman.

<sup>9</sup> Appointed Jan. 28, 2000, to replace Judge Mues, who died.

<sup>10</sup> Appointed Dec. 10, 2003, to replace Judge Hannon.

<sup>11</sup> Chief judge, 2004-present.

# Nebraska Judicial Districts — District Courts\*



\*Boundaries established by LB 1207 in the 2004 legislative session.

## DISTRICT COURTS

**Statutory Reference:** Nebraska Constitution, Article V, Section 1

The Organic Act of May 30, 1854, provided for three judicial districts in the newly created Nebraska Territory. These districts' courts were presided over by the Supreme Court judges, who were required to live in the districts they served. The first district covered Douglas and Dodge counties, the second district covered the territory south of the Platte River, and the third district covered Washington and Burt counties.

In 1855, the first session of these courts took place. In the same year, legislation redrew and enlarged district boundaries. The courts' functions were further defined in 1857.

The constitution of 1875 provided for six judicial districts and relieved the Supreme Court judges of district court duties. A 1920 constitutional amendment approved by voters provided that district judges must assist the Supreme Court when required. The 1961 Legislature provided that the Supreme Court may assign district judges to other districts when their services are needed. Nebraska has 12 districts served by 55 district judges. Each district judge has a court reporter.

District judges are selected to serve a specific district. The state establishes judges' and court reporters' salaries. The 1981 Legislature authorized the state to pay district judges 92.5 percent of the annual salary received by Supreme Court judges.

Clerks of the district court are county officers, elected and paid by the counties. District courts are trial courts of general jurisdiction and also rule on appeals from the county courts.

The 1965 Legislature passed the Conciliation Court Law to protect the rights of children, promote the public welfare by preserving and protecting family life and the institution of marriage, and to provide ways for spouses to reconcile and friendly ways to settle domestic and family problems. The law applies to counties in which the district court determines that the social conditions and number of domestic relations cases in the courts necessitate the consideration of such cases.

## Nebraska District Judges, 2009\*

District	Judge	Term Expires
1.....	Daniel E. Bryan Jr., Auburn.....	January 2015
	Vicky Johnson, Wilber.....	January 2013
	Paul W. Korslund, Beatrice.....	January 2015
2.....	David K. Arterburn, Papillion.....	January 2015
	Max Kelch, Papillion.....	January 2010
	Randall L. Rehmeier, Nebraska City.....	January 2013
	William B. Zastera, Papillion.....	January 2013
3.....	Steven D. Burns, Lincoln.....	January 2013
	Jeffrey Cheuvront, Lincoln.....	January 2011
	John A. Colborn, Lincoln.....	January 2011
	Karen B. Flowers, Lincoln.....	January 2013
	Paul D. Merritt Jr., Lincoln.....	January 2011
	Jodi Nelson, Lincoln.....	January 2011
	Robert R. Otte, Lincoln.....	January 2012
4.....	W. Mark Ashford, Omaha.....	January 2011
	Peter Bataillon, Omaha.....	January 2011
	W. Russell Bowie, Omaha.....	January 2011
	J Michael Coffey, Omaha.....	January 2015
	J. Russell Derr, Omaha.....	January 2013
	Sandra L. Dougherty, Omaha.....	January 2015
	James T. Gleason, Omaha.....	January 2013
	John D. Hartigan Jr., Omaha.....	January 2013
	Patricia A. Lamberty, Omaha.....	January 2015
	Gerald E. Moran, Omaha.....	January 2015
	J. Patrick Mullen, Omaha.....	January 2013
	Thomas A. Otepka, Omaha.....	January 2013
	Marlon A. Polk, Omaha.....	January 2015
	Gary B. Randall, Omaha.....	January 2015
	Gregory Schatz, Omaha.....	January 2011
	Joseph S. Troia, Omaha.....	January 2013
5.....	Mary C. Gilbride, Wahoo.....	January 2015
	Alan G. Gless, Seward.....	January 2011
	Michael J. Owens, Aurora.....	January 2013
	Robert R. Steinke, Columbus.....	January 2013
6.....	William Binkard, Dakota City.....	January 2015
	Darvid D. Quist, Blair.....	January 2015
	John E. Samson, Fremont.....	January 2013
7.....	Robert B. Ens, Wayne.....	January 2013
	Patrick Rogers, Randolph.....	January 2011
8.....	Mark D. Kozisek, Ainsworth.....	January 2015
	Karin L. Noakes, St. Paul.....	January 2011
9.....	John P. Icenogle, Kearney.....	January 2013
	James D. Livingston, Grand Island.....	January 2015
	Teresa K. Luther, Grand Island.....	January 2011
	William T. Wright, Kearney.....	January 2010
10.....	Terri S. Harder, Minden.....	January 2015
	Stephen R. Illingworth, Hastings.....	January 2011
11.....	James E. Doyle, Lexington.....	January 2013
	John P. Murphy, North Platte.....	January 2011
	Donald E. Rowlands II, North Platte.....	January 2015
	David Urbom, McCook.....	January 2011
12.....	Leo Dobrovolny, Gering.....	January 2010
	Randall L. Lippstreu, Gering.....	January 2015
	Brian C. Silverman, Alliance.....	January 2015

\*Source: Nebraska State Court Administrator's Office.

## Nebraska District Judges, 1876-2009\*

Name	Residence	District	Term
Ach, Joseph .....	Friend .....	7 .....	1961-1971
Adams, Ed L. ....	Minden .....	10 .....	1900-1908
Albert, I.L. ....	Columbus .....	6 .....	1898
Allen, William V. ....	Madison .....	9 .....	1892-1893
			1899
			1917-1924
Ambrose, G.W. ....	Omaha .....	4 .....	1892-1896
Amdor, Michael W. ....	Omaha .....	4 .....	1994-2002
Ankeny, Harry R. ....	Lincoln .....	3 .....	1945-1961
Appleget, Thomas .....	Tecumseh .....	1 .....	1887-1892
Ashford, W. Mark .....	Omaha .....	4 .....	2000-
Babock, Albert H. ....	Beatrice .....	1 .....	1892-1896
Baker, Benjamin S. ....	Omaha .....	4 .....	1896-1902
Barnes, J.B. ....	Ponca .....	6, 7 .....	1879-1884
Barron, P.J. ....	Gering .....	17 .....	1922-1927
Bartlett, Edwin M. ....	Omaha .....	4 .....	1904
Bartos, Stanley .....	Wilber .....	7 .....	1941-1961
Bartow, Alfred .....	Chadron .....	15 .....	1892-1896
Bartu, Bryce .....	Seward .....	5 .....	1977-1996
Bataillon, Peter .....	Omaha .....	4 .....	2000-
Bates, Edward .....	York .....	5 .....	1891-1900
Battershell, John J. ....	McCook .....	11 .....	1992-2006
Baxter, Irving F. ....	Omaha .....	4 .....	1900-1904
Beal, Henry J. ....	Omaha .....	4 .....	1941-1953
Beall, F.B. ....	Alma, Hastings .....	10 .....	1892-1896
			1896-1900
Beck, Clarence S. ....	North Platte .....	13 .....	1961-1965
Begley, James T. ....	Plattsmouth .....	2 .....	1913-1934
Blackledge, Lewis H. ....	Hastings .....	10 .....	1921-1941
Blair, J.H. ....	Omaha .....	4 .....	1892-1896
Blue, William D. ....	Lincoln .....	3 .....	1972-1996
Boyd, James F. ....	Oakdale, Neligh .....	9 .....	1900-1907
Boyles, Bartlett E. ....	Lincoln .....	3 .....	1963-1972
Broady, Jefferson H. ....	Beatrice .....	1 .....	1884-1892
Broady, Jefferson H. ....	Lincoln .....	3 .....	1923-1952
Brodkey, Donald .....	Omaha .....	4 .....	1961-1974
Brower, John M. ....	Fullerton .....	21 .....	1980-1991
Brown, Ralph D. ....	Crete .....	7 .....	1917-1925
Bryan, Daniel E. ....	Auburn .....	1 .....	1999-
Buckley, James A. ....	Omaha .....	4 .....	1970-1998
Burke, John C. ....	Omaha .....	4 .....	1961-1980
Burkhard, Robert V. ....	Omaha .....	4 .....	1980-2005
Burns, Steven D. ....	Lincoln .....	3 .....	1997-
Bush, J.E. ....	Beatrice .....	1 .....	1892-1896
Button, Frederick W. ....	Fremont .....	6 .....	1915-1928
Cambridge, William G. ....	Hastings .....	10 .....	1981-1988
Camp, Robert R. ....	Lincoln .....	3 .....	1983-1988
Caniglia, Samuel P. ....	Omaha .....	4 .....	1971-1985
Caporale, D. Nick .....	Omaha .....	4 .....	1979-1982
Carlson, Theodore L. ....	Omaha .....	4 .....	1983-1998
Carrigan, Edmund B. ....	Blair .....	4 .....	1927
Carter, Edward F. ....	Gering .....	17 .....	1927-1935
Case, Raymond J. ....	Plattsmouth .....	2 .....	1974-1990
Cassel, William B. ....	Ainsworth .....	8 .....	1992-2003
Cecava, Kristine R. ....	Sidney .....	12 .....	1999-2008
Chadderdon, Norris .....	Holdrege .....	10 .....	1958-1977
Chapmon, Samuel M. ....	Plattsmouth .....	2 .....	1887-1895
Chappell, E.B. ....	Lincoln .....	3 .....	1929-1943
Chase, Dewitt Clinton .....	Stanton .....	9 .....	1924-1938
Chase, Jackson B. ....	Omaha .....	4 .....	1946-1954
			1957-1961
Cheuvront, Jeffre .....	Lincoln .....	3 .....	1983-
Church, A.H. ....	North Platte .....	10, 13 .....	1889-1892
Clark, John E. ....	Omaha .....	4 .....	1972-1994

\*District served reflects realignment of districts passed as LB 1059 in the 1992 legislative session.



## Nebraska District Judges, 1876-2009 (Cont'd.)

Name	Residence	District	Term
Clarkson, Joseph R.....	Omaha.....	3.....	1888-1892
Clements, Edwin P.....	Ord.....	11.....	1921-1941
Clements, Elliott J.....	Lincoln.....	3.....	1919-1923
Coady, Orville L.....	Hebron.....	1.....	1971-2003
Cochran, James E.....	McCook.....	11, 14.....	1887-189
Coffey, J. Michael.....	Omaha.....	4.....	1998-
Coffin, E.M.....	Ord.....	11.....	1891-1892
Colborn, John A.....	Lincoln.....	3.....	2000-
Colby, Lenard W.....	Beatrice.....	18.....	1921-1924
Colwell, William F.....	Pawnee City.....	1.....	1963-1981
Cones, Douglas.....	Pierce.....	8.....	1899-1900
Corcoran, George F.....	York.....	5.....	1908-1925
Cornish, Albert J.....	Lincoln.....	3.....	1896-1916
Corrigan, Lawrence J.....	Omaha.....	4.....	1983-1999
Cosgrave, P. James.....	Lincoln.....	3.....	1912-1918
Crawford, J.C.....	West Point.....	7.....	1884-1888
Crites, A.W.....	Chadron.....	15.....	1891-1892
Crites, Albert W.....	Chadron.....	16.....	1959-1966
Davidson, Samuel P.....	Tecumseh.....	1.....	1882-1884
Davis, Herbert J.....	Omaha.....	4.....	1891-1896
Davis, Stephen A.....	Omaha.....	4.....	1982-2002
Day, George A.....	Omaha.....	4.....	1902-1921
Day, L.B.....	Omaha.....	4.....	1921-1929
Day, W.A.....	Omaha.....	4.....	1936-1957
DeBacker, Richard L.....	Grand Island.....	11.....	1980-1984
Derr, J. Russell.....	Omaha.....	4.....	2002-
Dickinson, Charles T.....	Tekamah.....	4.....	1896-1904
Dickson, Robert R.....	O'Neill.....	15.....	1912-1941
Dierks, John M.....	Nebraska City.....	2.....	1952-1964
Ditworth, William A.....	Holdrege.....	10.....	1919-1928
Dineen, Frank M.....	Omaha.....	4.....	1929-1950
Dittrick, George W.....	Norfolk.....	9.....	1961-1977
Doane, George W.....	Omaha.....	3, 4.....	1888-1892
Dobrovoly, Leo P.....	Gering.....	12.....	2007-
Dorsey, William C.....	Bloomington.....	10.....	1917-1919
Dougherty, Sandra L.....	Omaha.....	4.....	1999-
Doyle, James E.....	Lexington.....	11.....	2001-
Duffie, E.R.....	Omaha.....	4.....	1892-1896
Dunbar, Thomas E.....	Nebraska City.....	2.....	1944-1952
Dungan, Harry.....	Hastings.....	0.....	1908-1917
Eldred, Charles E.....	McCook.....	14.....	1919-1945
Ellis, Cloyde B.....	Beatrice.....	18.....	1937-1958
Empson, Paul D.....	Chadron.....	12.....	1980-
Endacott, Donald E.....	Lincoln.....	3.....	1979-2000
English, James P.....	Omaha.....	4.....	1913-1917
English, James T.....	Omaha.....	4.....	1945-1959
Ensz, Robert B.....	Wayne.....	7.....	1991-
Estelle, Lee S.....	Omaha.....	4.....	1891-1892
Evans, Arthur J.....	David City.....	5.....	1900-1921
Evans, Robert E.....	Dakota City.....	8.....	1896-1900
Fahrnbruch, Dale E.....	Lincoln.....	3.....	1972-1987
Falloon, Virgil.....	Falls City.....	1.....	1937-1963
Fawcett, Jacob.....	Omaha.....	4.....	1896-1904
Feidler, Ted R.....	Scottsbluff.....	17.....	1961-1977
Ferguson, A.N.....	Lincoln.....	4.....	1886-1892
Field, Allen W.....	Omaha.....	2, 3.....	1921-1961
Finn, Robert T.....	Auburn, Beatrice, Tecumseh.....	1.....	1981-1999
Fitzgerald, James M.....	Lincoln.....	4.....	1918-1919
Flansburg, Leonard A.....	Scottsbluff.....	3.....	1961-1977
Flory, Robert D.....	Columbus.....	6.....	1949-1965
Flory, Robert L.....	Fremont.....	6.....	1961-1977
Flowers, Karen B.....	Lincoln.....	3.....	1996-
Foster, Charles E.....	Omaha.....	4.....	1929-1933
Frost, Lincoln.....	Lincoln.....	3.....	1898-1912
			1924-1925

## Nebraska District Judges, 1876-2009 (Cont'd.)

Name	Residence	District	Term
Frum, Sidney T. ....	South Sioux City .....	8 .....	1941-1955
Fuhrman, Mark J. ....	Fremont .....	6 .....	1977-1998
Garden, Richard P. ....	Norfolk .....	7 .....	1979-2000
Garrotto, Paul J. ....	Omaha .....	4 .....	1961-1971
Gaslin, William Jr. ....	Kearney .....	5, 8, 10 .....	1876-1892
Gilbride, Mary C. ....	Wahoo .....	5 .....	1998-
Gillan, George C. ....	Lexington .....	13 .....	1923-1925
Gitnick, Jerry M. ....	Omaha .....	4 .....	1978-1992
Gleason, James T. ....	Omaha .....	4 .....	2002-
Gless, Alan G. ....	Wahoo, Seward .....	5 .....	1995-
Good, Benjamin F. ....	York, Wahoo .....	5 .....	1900-1912
Good, Edward E. ....	Wahoo .....	5 .....	1912-1923
Goss, Charles A. ....	Omaha .....	4 .....	1921-1927
Gossett, F.A., III .....	Fremont .....	6 .....	1998-2003
Grant, John T. ....	Omaha .....	4 .....	1974-1983
Graves, Guy T. ....	Pender .....	8 .....	1900-1924
Green, W.L. ....	Kearney .....	12 .....	1896-1897
Griffey, Thomas L. ....	Dakota City .....	6 .....	1876-1877
Grimes, Hanson M. ....	North Platte .....	13 .....	1895-1921
Grimison, James A. ....	Schuyler .....	6 .....	1899-1904
Groff, Lewis A. ....	Omaha .....	3 .....	1887-1892
Gutterson, Charles L. ....	Broken Bow .....	12 .....	1903-1904
Hall, Charles L. ....	Lincoln .....	3 .....	1891-1898
Hamer, Frances G. ....	Kearney .....	10, 12 .....	1884-1892
Hamilton, Donald J. ....	Omaha .....	4 .....	1965-1992
Hanna, James R. ....	Greeley, Grand Island .....	11 .....	1904-1921
Hannon, Edward .....	O'Neill .....	15 .....	1983-1991
Harder, Terri S. ....	Minden .....	10 .....	2000-
Harrington, James J. ....	O'Neill .....	15 .....	1900-1912
Harrison, T.O.C. ....	Grand Island .....	9, 11 .....	1887-1894
Hartigan, John D., Jr. ....	Omaha .....	4 .....	1991-
Hastings, Lovell S. ....	David City .....	5 .....	1923-1947
Hastings, William C. ....	Lincoln .....	3 .....	1965-1979
Hastings, William G. ....	Wilber, Omaha .....	7, 4 .....	1892-1900
			1923-1937
Hayward, M.L. ....	Nebraska City .....	2 .....	1886
Hendrix, Jack H. ....	Trenton .....	14 .....	1969-1991
Hickman, Paul J. ....	Omaha .....	4 .....	1978-1993
Hippe, Robert O. ....	Gering .....	12 .....	1977-
Hobart, Ralph W. ....	Mitchell, Gering .....	16, 17 .....	1911-1922
Holcomb, Silas A. ....	Broken Bow .....	12 .....	1892-1894
Hollenbeck, Conrad .....	Fremont .....	6 .....	1898-1914
Holmes, Edward P. ....	Lincoln .....	3 .....	1894-1908
Hopewell, Melville R. ....	Tekamah, Omaha .....	3, 4 .....	1887-1896
Horth, Ralph T. ....	Grand Island .....	11 .....	1931-1934
Hostetler, Bruno O. ....	Kearney .....	12 .....	1904-1941
Howard, Keith .....	Omaha .....	4 .....	1979-1991
Huber, Walter G. ....	Blair .....	6 .....	1972-1980
Hubka, Ernest A. ....	Beatrice .....	18 .....	1958-1971
Hurd, Leslie G. ....	Harvard .....	7 .....	1904-1917
Icenogle, John P. ....	Kearney .....	9 .....	1990-
Illingworth, Stephen R. ....	Hastings .....	10 .....	1988-
Inbody, Everett O. ....	Wahoo .....	5 .....	1991-1995
Irons, Fred R. ....	Hastings .....	10 .....	1971-1981
Irvine, Frank .....	Omaha .....	4 .....	1891-1892
Irwin, George W. ....	Bridgeport .....	17 .....	1935-1939
Jackson, Lyle E. ....	Neligh .....	9 .....	1941-1961
Jackson, N. D. ....	Neligh .....	9 .....	1892-1896
James, J.W. ....	Hastings .....	10 .....	1928-1934
Jessen, Paul .....	Nebraska City .....	2 .....	1900-1908
Johnson, Earl E. ....	Broken Bow .....	20 .....	1973-1977
Johnson, Vicky .....	Wilber .....	1 .....	2003-
Kanouff, Howard V. ....	Wahoo .....	5 .....	1971-1977
Kelligar, William H. ....	Auburn .....	1 .....	1904-1908
Kelly, James R. ....	Broken Bow .....	20 .....	1977-1984
Kelly, Lloyd Jr. ....	Grand Island .....	11 .....	1972-1980

## Nebraska District Judges, 1876-2009 (Cont'd.)

Name	Residence	District	Term
Kendall, A.A. ....	St. Paul.....	11.....	1894-1900
Kennedy, Howard Jr. ....	Omaha.....	4.....	1904-1913
Keysor, W.W. ....	Omaha.....	4.....	1892-1902
Kieck, W.G. ....	Plattsmouth.....	2.....	1937
Kinkaid, Moses P. ....	O'Neill.....	12, 15.....	1887-1900
Knapp, John D. ....	Kimball.....	12.....	1974-1999
Kneifl, Francis J. ....	South Sioux City.....	8.....	1975-1984
Kokjer, Emerson.....	Wahoo.....	5.....	1947-1971
Korslund, Paul W. ....	Beatrice.....	1.....	1998-
Kortum, Alfred J. ....	Gering.....	12.....	1972-1995
Kozisek, Mark D. ....	Ainsworth.....	8.....	2004-
Krell, Lawrence C. ....	Omaha.....	4.....	1959-1978
Kroger, E.G. ....	Grand Island.....	11.....	1934-1961
Kuns, John.....	Kimball.....	13, 19.....	1949-1974
Lamberty, Patricia A. ....	Omaha.....	4.....	1998-
Landis, Harry D. ....	Seward.....	5.....	1925-1956
Leslie, Charles.....	Omaha.....	4.....	1912-1945
Letton, C.B. ....	Fairbury.....	1.....	1896-1903
Lightner, Louis.....	Columbus.....	6.....	1923-1949
Likes, Mary G. ....	Omaha.....	4.....	1992-2002
Lippstreu, Randall L. ....	Gering.....	12.....	1998-
Livingston, James D. ....	Grand Island.....	9.....	1992-
Livingston, D.W. ....	Nebraska City.....	2.....	1934-1937
Luther, Teresa K. ....	Grand Island.....	9.....	1994-
Lynch, Patrick W. ....	Omaha.....	4.....	1954-1979
Manasil, William F. ....	Burwell.....	11, 20.....	1958-1973
Marsh, Joseph.....	Dakota City.....	8.....	1967-1975
Marshall, William.....	Freemont.....	4, 6.....	1887-1898
Martin, Joseph D. ....	Grand Island.....	9.....	1978-1994
McFadden, Eugene D. ....	Norfolk.....	9.....	1977-1979
McGill, Michael.....	Omaha.....	4.....	1991-2000
McGinn, Bernard J. ....	Lincoln.....	3.....	1981-2005
Mernitt, Paul D. Jr. ....	Lincoln.....	3.....	1988-
Messmore, Fred W. ....	Beatrice.....	18.....	1929-1937
Meyer, Earl L. ....	Alliance.....	6.....	1926-1959
Miller, Matt.....	David City.....	5.....	1891-1892
Mitchell, J.L. ....	Nebraska City.....	2.....	1885-1886
Moran, Gerald E. ....	Omaha.....	4.....	1993-
Moran, Robert R. ....	Alliance.....	16.....	1966-1992
Morning, William M. ....	Lincoln.....	3.....	1917-1924
Morris, William H. ....	Crete.....	5, 7.....	1883-1884
			1887-1892
Moss, William Jefferson.....	Fairbury.....	18.....	1924-1929
Mounts, Dayton R. ....	Atkinson, O'Neill.....	15.....	1941-1961
Mullen, J. Patrick.....	Omaha.....	4.....	1985-
Mullery, Edward A. ....	Omaha.....	4.....	1961-1962
Munday, Frank J. ....	Red Cloud.....	10.....	1933-1958
Munn, C.A. ....	Ord.....	11.....	1900-1901
Murphy, James M. ....	Omaha.....	4.....	1977-1997
Murphy, John E. ....	Omaha.....	4.....	1961-1978
Murphy, John P. ....	North Platte.....	11.....	1983-
Neville, James.....	Omaha.....	3.....	1883-1888
Neville, William.....	North Platte.....	13.....	1892-1894
Newkirk, L. Ross.....	Omaha.....	4.....	1953-1961
Newton, John E. ....	Ponca.....	8.....	1957-1967
Nimtz, Frank G. ....	Omaha.....	4.....	1961-1964
Nisley, I.J. ....	North Platte.....	13.....	1925-1961
Norris, G.W. ....	McCook, Beaver City.....	14.....	1896-1903
Norris, W.F. ....	Ponca.....	7, 8.....	1888-1896
Norton, William H. ....	Osceola.....	5.....	1977-1991
Norval, T.L. ....	Seward.....	6.....	1883-1890
Nuss, Edmund.....	Hastings.....	10.....	1941-1971
O'Brien, James P. ....	Omaha.....	4.....	1961-1977
Ogden, Charles.....	Omaha.....	4.....	1892-1896
Olberding, Ronald D. ....	Burwell.....	8.....	1984-2006
Oleson, Andrew R. ....	Wisner.....	9.....	1915-1917

## Nebraska District Judges, 1876-2009 (Cont'd.)

Name	Residence	District	Term
Orr, Robert C.....	Hayes Center, McCook.....	14.....	1929-1937
Otepka, Thomas A.....	Omaha.....	4.....	1903-1912
Otte, Robert.....	Dakota City.....	6.....	2003-
Owens, Michael J.....	York, Aurora.....	5.....	1985-1993
Paine, Bayard H.....	Grand Island.....	11.....	1996-
Patton, James M.....	Omaha.....	4.....	1917-1931
Paul, James N.....	St. Paul.....	11.....	1949-1961
Pemberton, Leander M.....	Beatrice.....	1, 18.....	1901-1917
Perry, Claibourne G.....	Gering.....	17.....	1908-1921
Perry, Ernest B.....	Cambridge.....	17.....	1939-1957
Polk, John L.....	Lincoln.....	4.....	1912-1919
Pollock, Fay H.....	Stanton.....	9.....	1937-1965
Post, Alfred M.....	Columbus.....	4, 6.....	1943-1969
			1880-1892
			1919-1923
Post, George W.....	York.....	4.....	1876-1880
Pound, Stephen B.....	Lincoln.....	2.....	1876-1888
Powell, Clinton N.....	Omaha.....	4.....	1896-1900
Powers, Isaac Jr.....	Norfolk.....	7, 9.....	1887-1892
Proudfit, Robert M.....	Friend.....	7.....	1925-1941
Quist, Darvid D.....	Blair.....	6.....	1980-
Rait, James E.....	Omaha.....	4.....	1927-1929
Ramsey, B.S.....	Plattsmouth.....	2.....	1896-1900
Randall, Gary B.....	Omaha.....	4.....	1997-
Raper, John B.....	Pawnee City.....	1.....	1906-1937
Raun, Alfred D.....	Walthill.....	8.....	1955-1957
Read, Guy R.C.....	Omaha.....	4.....	1902-1904
Reagan, Ronald E.....	Papillion.....	2.....	1972-2005
Redick, William A.....	Omaha.....	4.....	1904-1912
			1915-1936
Redmond, Maurice S.....	Dakota City.....	6.....	1993-2005
Reed, Eldridge G.....	Kearney.....	12.....	1941-1961
Reeder, James G.....	Columbus.....	6.....	1904-1908
Rehmeier, Randall L.....	Nebraska City.....	2.....	1990-
Reimer, Henry F.....	O'Neill.....	15.....	1974-1983
Rhoades, Herbert.....	Tekamah, Omaha.....	4.....	1927-1961
Richling, Theodore L.....	Omaha.....	4.....	1970-1983
Riley, William H.....	Grand Island.....	11.....	1984-1992
Rine, John A.....	Omaha.....	4.....	1937-1944
Rist, William B.....	Beatrice.....	1.....	1971-1998
Robertson, William A.....	Plattsmouth.....	2.....	1944
Robinson, J.S.....	Madison.....	9.....	1895-1899
Robinson, Russell A.....	Fremont.....	6.....	1945-1961
Rogers, Patrick.....	Randolph.....	7.....	2001-
Ronin, Herbert A.....	Lincoln.....	3.....	1961-1981
Rowlands, Donald E., II.....	North Platte.....	11.....	1986-
Ryan, Mark J.....	Pender.....	8.....	1925-1941
Samson, John E.....	Fremont.....	6.....	2003-
Savage, James W.....	Omaha.....	3.....	1876-1883
Savidge, Samuel L.....	Kearney.....	10.....	1883-1884
Schatz, Gregory.....	Omaha, Waterloo.....	4.....	2000-
Scheele, Elmer M.....	Lincoln.....	3.....	1961-1972
Schmidt, Victor H.....	Papillion.....	2.....	1964-1972
Scott, C.R.....	Omaha.....	4.....	1892-1900
Sears, Willis G.....	Tekamah, Omaha.....	4.....	1904-1923
			1933-1949
Sedgwick, S. H.....	York.....	5.....	1896-1900
Sharp, Betty P.....	Nebraska City.....	2.....	1972-1976
Shepherd, Frederick E.....	Lincoln.....	3.....	1917-1945
Sidner, S.S.....	Kearney.....	12.....	1961-1976
Silverman, Brian C.....	Scottsbluff, Alliance.....	12.....	1992-
Sinclair, H.M.....	Kearney.....	12.....	1895-1896
Slabaugh, W.W.....	Omaha.....	4.....	1896-1904
Smith, Jerome H.....	Aurora.....	6.....	1890-1892
Smith, Robert L.....	Omaha.....	4.....	1961-1965
Smith, Walter H.....	Plattsmouth.....	2.....	1965-1974

## Nebraska District Judges, 1876-2009 (Cont'd.)

Name	Residence	District	Term
Smith, William C. Jr.	Ainsworth	15	1961-1974
Sornborger, S.H.	York	5	1900-1904
Spear, Frederick L.	Fremont	6	1928-1945
Spencer, Harry A.	Lincoln	3	1952-1961
Spethman, Richard J.	Omaha	4	1992-
Spikes, William F.	St. Paul	11	1941-1958
Sprague, Bernard	Red Cloud	10	1977-1999
Stalmaster, Irvin	Omaha	4	1928-1929
Stanley, George H.	Syracuse	2	1976-1983
Stauffer, Carroll	Oakland	4	1921-1925
Stauffer, Carroll O.	Omaha	4	1950-1961
Steinke, Robert R.	Columbus	5	1991-
Stewart, Charles H.	Norfolk	9	1928-1941
Stewart, Willard E.	Lincoln	3	1908-1929
Strode, Jesse B.	Lincoln	3	1892-1894
Stuart, Hugh	North Platte	13	1965-1986
Stubbs, George W.	Superior	7	1900-1904
Stull, J.S.	Auburn	1	1896-1904
Sullivan, Homer M.	Broken Bow	12	1897-1903
Sullivan, J.J.	Columbus	6	1892-1897
Sutton, Abraham L.	Omaha, South Omaha	4	1904-1914 1925-1927
Tesar, Rudolph	Omaha	4	1964-1979
Tewell, J.L.	Sidney	13	1921-1949
Thomas, George H.	Columbus, Schuyler	6	1908-1919
Thompson, George A.	Papillion	2	1983-2006
Thompson, J.R.	Grand Island	11	1892-1904
Thomsen, Arthur C.	Omaha	4	1929-1961
Tibbets, A. S.	Lincoln	3	1891-1896
Tiffany, Fayette B.	Albion	9	1883-1892
Travis, Harvey D.	Plattsmouth	2	1908-1913
Troia, Joseph S.	Omaha	4	1991-
Troup, Alexander C.	Omaha	4	1904-1929
Tuttle, Samuel J.	Lincoln	3	1898
Valentine, E. K.	West Point	6	1877-1878
Van Pelt, Samuel	Lincoln	3	1972-1983
Van Steenberg, Richard M.	Mitchell	7	1957-1961
Wakeley, Arthur C.	Omaha	4	1917-1927
Wakeley, Eleazer	Omaha	3, 4	1883-1892
Walton, W.C.	Blair	4	1892-1896
Warren, Merritt C.	Creighton	9	1969-1991
Weaver, A.J.	Falls City	1	1876-1882
Weaver, Donald H.	Grand Island	11	1961-1978
Welch, Anson A.	Wayne	9	1907-1928
Welty, D.T.	Cambridge	14	1892-1896
Wenke, Adolph E.	Stanton	9	1938-1943
Westermarck, Victor	McCook	14	1946-1969
Westover, William H.	Rushville	15, 16	1896-1926
Wheeler, Mason	Lincoln	3	1925-1929
Wheeler, Robert	Osceola	5	1892-1896
White, C. Thomas	Columbus	6, 21	1965-19
White, Paul W.	Lincoln	3	1953-1963
Whitehead, John C.	Columbus	5	1977-1998
Wilson, Ralph	Lincoln	3	1943-1952
Wilson, W.W.	Nebraska City	2	1937-1944
Windrum, Keith	Gothenburg	13	1972-1986
Withthoff, Earl J.	Lincoln	3	1988-
Wolf, DeWayne	Kearney	12	1976-1990
Wright, Fred A.	Omaha	4	1929-1932
Yeager, John W.	Omaha	4	1933-1940
Zastera, William B.	Nebraska City, Papillion	2	1997-
Zeilinger, John D.	York	5	1956-1977

## Nebraska District Attorneys, 1855-1885

### *Territorial'*

D.S. McGary.....	May 10, 1855 <sup>2</sup>	James G. Chapman.....	Aug. 3, 1857
Jonathan H. Smith .....	June 9, 1855	William McLellan.....	Aug. 3, 1857
S.A. Strickland.....	June 11, 1855	George W. Doane.....	Aug. 3, 1857
John M. Latham .....	Nov. 6, 1855	U.C. Johnson.....	Oct. 11, 1859
Jacob Safford .....	Nov. 6, 1855		
William Kline .....	Nov. 6, 1855		

## Nebraska District Attorneys, 1855-1885

### *State<sup>3</sup>*

Name	Residence	District	Elected
Hewitt, O.B.....	Brownville.....	1.....	1868, 70
Cown, J.C.....	Omaha.....	2.....	1868, 70
Gray, E.F.....	Fremont.....	3.....	1868, 70
Weaver, A.J.....	Falls City.....	1.....	1872
Connell, William J. ....	Omaha.....	2.....	1872, 74
		3.....	1875
Hoxie, Melville B. ....	Fremont.....	3.....	1872, 74, 75
Dilworth, C.J.....	Plum Creek.....	1.....	1874, 75, 76
Eller, J.W.....	Omaha.....	1.....	1875
Broady, J.H.....	Beatrice.....	2.....	1875
Barnes, John B.....	Ponca.....	6.....	1875, 76
Maule, J.P.....	Fairmont.....	1.....	1876, 78
Smith, George S.....	Plattsmouth.....	2.....	1876
Buckingham, E.H.....	Omaha.....	3.....	1876
Greene, C.J.....	Omaha.....	3.....	1876
Reese, M.B.....	Wahoo.....	4.....	1876, 78, 80
Watson, John C.....	Nebraska City.....	2.....	1878, 80
Ferguson, A.N.....	Omaha.....	3.....	1878
Scofield, T.D.....	Hastings.....	5.....	1878
McNish, C.C.....	Wisner.....	6.....	1878, 80
Morris, William H.....	Crete.....	1.....	1880
Burnham, N.J.....	Omaha.....	3.....	1880
Bierbower, V.....	Sidney.....	5.....	1880
Sabin, Robert W.....	Beatrice.....	1.....	1882
Strode, J.B.....	Plattsmouth.....	2.....	1882, 84
Godwin, Park.....	Omaha.....	3.....	1882
Roberts, Jacob C.....	David City.....	4.....	1882
Bemis, George W.....	Sutton.....	5.....	1883
Darnell, Thomas.....	St. Paul.....	6.....	1882, 84
Bryant, Wilbur F.....	Ponca.....	7.....	1882
Morlan, W.S.....	Arapahoe.....	8.....	1882, 84
Coffin, E.M.....	Ord.....	9.....	1883 <sup>4</sup>
Bixler, J.W.....	North Platte.....	10.....	1883 <sup>4</sup>
Osgood, Daniel.....	Tecumseh.....	1.....	1884
Estelle, Lee S.....	Blair.....	3.....	1884
Marshall, William.....	Fremont.....	4.....	1884
Savage, Manford.....	Hebron.....	7.....	1884
Wilbur, Guy R.....	St. Helena.....	7.....	1884
Jackson, N.D.....	Neligh.....	9.....	1884
Sinclair, H.M.....	Plum Creek.....	10.....	1884

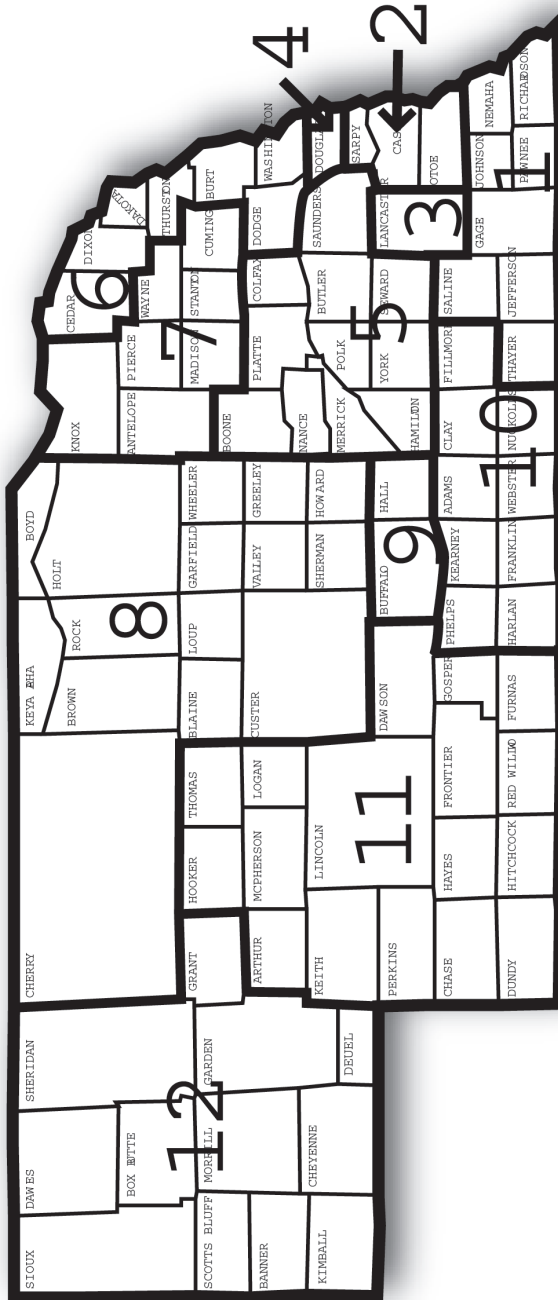
<sup>1</sup> Office abolished by act of Jan. 11, 1861, and revived June 11, 1867.

<sup>2</sup> All dates listed for territorial attorneys indicate beginning of terms.

<sup>3</sup> An 1885 act provided for county attorneys rather than district attorneys beginning March 10 of that year.

<sup>4</sup> Appointed.

# Nebraska Judicial Districts — County Courts\*



\*Boundaries established by LB 1059 in the 1992 legislative session.

## COUNTY COURTS

**Statutory References:** Nebraska Constitution, Article V, Section 1; and 24-502

A county court serves each Nebraska county. The court has:

- civil jurisdiction in cases involving less than \$51,000
- criminal jurisdiction in all misdemeanor cases, including violations of city and

village ordinances

- jurisdiction in all probate, estate administration and guardianship matters

• exclusive jurisdiction in juvenile cases, except in Douglas, Lancaster and Sarpy counties

- jurisdiction in domestic relations cases

The present county court system, established in 1972, combines the previous functions of the 93 county courts, several hundred police courts and several hundred justices of the peace. The 1972 change was the first major restructuring of Nebraska's courts of limited jurisdiction since statehood was attained.

The 58 county judges serve in Nebraska's 12 county court judicial districts. Judges were elected to four-year terms on a nonpolitical ballot in 1972. The 1974 Legislature included county judges in the merit plan system of judicial selection. County judges each receive an annual salary totaling 85 percent of a Supreme Court judge's salary.

A clerk magistrate is appointed in each county, except in Douglas, Lancaster and Sarpy counties, where judicial administrators are appointed. In most counties, the clerk magistrate is not a lawyer.

The state pays county judges and county court employees. Each county pays for the cost of facilities, supplies and equipment.

Appeals from the county courts are taken to district court, based on the record made in county court, except when the county court is acting as a juvenile court.



## Nebraska County Judges, 2009\*

District	Judge	Term Expires
1	Curtis L. Maschman, Falls City .....	January 2015
	J. Patrick McArdle, Wilber .....	January 2011
	Steven B. Timm, Beatrice .....	January 2015
2	Jeffrey J. Funke, Papillion .....	January 2010
	Todd J. Hutton, Papillion .....	January 2015
	John F. Steinheider, Nebraska City .....	January 2013
	Robert C. Wester, Papillion .....	January 2011
3	Mary L. Doyle, Lincoln .....	January 2013
	James L. Foster, Lincoln .....	January 2011
	Jean A. Lovell, Lincoln .....	January 2015
	Gale Pokorny, Lincoln .....	January 2011
	Susan Strong, Lincoln .....	January 2011
	Laurie J. Yardley, Lincoln .....	January 2011
4	Edna Atkins, Omaha .....	January 2015
	Lawrence E. Barrett, Omaha .....	January 2011
	Susan Bazis, Omaha .....	January 2010
	Joseph P. Caniglia, Omaha .....	January 2015
	Marcena M. Hendrix, Omaha .....	January 2015
	John E. Huber, Omaha .....	January 2015
	Darryl R. Lowe, Omaha .....	January 2015
	Jeffrey Marcuzzo, Omaha .....	January 2011
	Craig Q. McDermott, Omaha .....	January 2015
	Thomas G. McQuade, Omaha .....	January 2015
	Stephen M. Swartz, Omaha .....	January 2015
	Lyn V. White, Omaha .....	January 2015
5	Linda S. Caster Senff, Aurora .....	January 2015
	Curtis H. Evans, York .....	January 2011
	Patrick R. McDermott, Schuyler .....	January 2015
	Marvin V. Miller, Wahoo .....	January 2015
	Gerald E. Rouse, Seward .....	January 2013
	Frank J. Skorupa, Columbus .....	January 2011
6	Douglas L. Luebe, Hartington .....	January 2013
	Kurt Rager, Dakota City .....	January 2011
	C. Matthew Samuelson, Blair .....	January 2015
	Kenneth Vampola, Fremont .....	January 2015
7	Richard W. Krepela, Madison .....	January 2013
	Ross A. Stoffer, Pierce .....	January 2011
	Donna Taylor, Neligh .....	January 2013
8	Alan L. Brodbeck, O'Neill .....	January 2013
	James J. Orr, Broken Bow .....	January 2015
	Gary G. Washburn, Broken Bow .....	January 2015
9	Graten D. Beavers, Kearney .....	January 2013
	David A. Bush, Grand Island .....	January 2015
	Gerald R. Jorgensen Jr., Kearney .....	January 2013
	Philip M. Martin Jr., Grand Island .....	January 2013
10	Robert A. Ide, Holdrege .....	January 2011
	Michael L. Offner, Red Cloud .....	January 2011
	Jack Robert Ott, Hastings .....	January 2011
11	Carlton Clark, Lexington .....	January 2011
	Kent E. Florom, North Platte .....	January 2013
	Anne Paine, McCook .....	January 2010
	Edward D. Steenburg, Ogallala .....	January 2015
	Kent D. Turnbull, North Platte .....	January 2015
12	G. Glenn Camerer, Gering .....	January 2013
	James T. Hansen, Chadron .....	January 2015
	Charles Plantz, Rushville .....	January 2015
	Randin Roland, Sidney .....	January 2011
	James M. Worden, Scottsbluff .....	January 2015

\* Source: Nebraska State Court Administrator's Office.

SEPARATE JUVENILE COURTS

**Statutory References:** Nebraska Constitution, Article V, Section 27; and 43-2,111

Separate juvenile courts are courts of record and handle matters pertaining to neglected, dependent and delinquent children. These courts also have concurrent jurisdiction with district courts in all matters concerning the care, support, custody or control of mentally deficient children younger than 18. Separate juvenile court judges each receive an annual salary totaling 92.5 percent of a Supreme Court judge's salary.

There are 11 juvenile judges — five in Douglas County, four in Lancaster County and two in Sarpy County.

County	Judge	Term Expires
Douglas.....	Elizabeth G. Crnkovich, Omaha.....	January 2011
	Vernon Daniels, Omaha.....	January 2011
	Douglas F. Johnson, Omaha.....	January 2011
	Christopher Kelly, Omaha.....	January 2011
	Wadie Thomas, Omaha.....	January 2011
Lancaster.....	Roger Heideman, Lincoln.....	January 2013
	Linda S. Porter, Lincoln.....	January 2015
	Reggie L. Ryder, Lincoln.....	January 2010
	Toni G. Thorson, Lincoln.....	January 2011
Sarpy.....	Lawrence D. Gendler, Papillion.....	January 2015
	Robert B. O'Neal, Papillion.....	January 2013

WORKERS' COMPENSATION COURT

**Office Address:** State Capitol, P.O. Box 98908, Lincoln, NE 68509-8908, phone (402) 471-6468, toll-free phone (800) 599-5155, e-mail address — [newcc@wcc.ne.gov](mailto:newcc@wcc.ne.gov), Web site — [www.wcc.ne.gov](http://www.wcc.ne.gov)

**Administrator:** Glenn W. Morton

**Statutory Reference:** 48-152

**Publications:** Annual Report; court rules; annual Occupational Safety and Health Survey; news bulletin; various information pamphlets.

The Workers' Compensation Court administers and enforces the Nebraska Workers' Compensation Act, including original jurisdiction of claims for workers' compensation benefits resulting from industrial accidents or occupational diseases. All disputed claims must be submitted to the court for finding, award, order or judgment. Appeals may be taken to the Court of Appeals.

The first Nebraska Workers' Compensation Law was passed in 1914. From then until 1917, several state district courts administered the act. In 1917, the Legislature created the Compensation Division in the Department of Labor, and the commissioner of labor was designated compensation commissioner. The 1935 Legislature transferred Compensation Division functions to the Workers' Compensation Court.

Compensation court judges are selected and serve terms pursuant to a merit plan.

Each judge's salary is 92.5 percent of the salary set for the chief justice and judges of the Supreme Court. Compensation court judges have statewide jurisdiction and travel throughout the state to hold hearings in county seats in disputed cases. The court administers the Workers' Compensation Court Trust Fund (formerly the Second Injury and Vocational Rehabilitation Trust fund). The court reviews qualifications of employers who want to be self-insured. Other court duties include certifying vocational rehabilitation providers, administering the medical fee schedule, providing the independent medical examiner system, certifying managed care plans, creating publications and workshops, and providing informal dispute resolution. The court also maintains a statewide toll-free information line. To perform its duties, the court is organized into two operating divisions and seven operating sections. The adjudication division, under the direction of the presiding judge, includes the judges and the Office of the Clerk of the Court. The administration division, under the direction of the administrator, includes Administration, Rehabilitation, Legal, Public Information Services and Coverage and Claims sections.

All reportable industrial accidents and occupational diseases are required to be reported to the court. The court maintains a computer database of work-related injuries and all payments reported, as well as employers' insurance coverage.

<b>Judge</b>	<b>Term Expires</b>
Ronald L. Brown, Lincoln .....	January 2011
Michael P. Cavel, Omaha .....	January 2011
James R. Coe, Omaha.....	January 2011
J. Michael Fitzgerald, Lincoln.....	January 2013
Michael K. High, Lincoln .....	January 2015
John R. Hoffert, Lincoln.....	January 2011
Laureen K. VanNorman, Lincoln (Presiding) .....	January 2015

## Workers' Compensation Court Judges, 1935-2009

<b>Judge</b>	<b>Term of Service</b>
Lawrence F. Welch .....	June 8, 1935-July 1, 1941 Dec. 15, 1965-March 31, 1973
Franklin M. Coffey.....	June 8, 1935-July 1, 1943
Paul L. Hoffman.....	July 1, 1941-July 1, 1945
Charles E. Jackman .....	June 8, 1935-July 30, 1951
Joe P. Cashen.....	Oct. 8, 1951-Jan. 31, 1956
O.M. Olsen.....	July 1, 1943-Dec. 31, 1960
Albert Arms.....	July 1, 1945-Dec. 31, 1964
William H. Riley .....	Jan. 1, 1965-June 1, 1969
Richard N. Johnson.....	Jan. 1, 1965-June 1, 1969
Richard S. Willes .....	June 1, 1969-Sept. 1, 1977
Ted W. Vrana.....	Sept. 15, 1975-April 30, 1993
James P. Monen.....	Sept. 1, 1977-August 31, 1993
Mark A. Buchholz.....	Aug. 1, 1972-Feb. 28, 1994
Ben Novicoff.....	Feb. 1, 1956-Jan. 31, 1996
Paul E. LeClair.....	April 4, 1973-Oct. 20, 1997
Joseph S. Ramirez.....	Nov. 1, 1993-June 30, 2001
Michael P. Cavel.....	Oct. 5, 1983-
James R. Coe.....	Oct. 7, 1988-
Laureen K. VanNorman .....	July 6, 1993-
Ronald L. Brown.....	April 8, 1994-
J. Michael Fitzgerald.....	April 12, 1996-
Michael K. High .....	Jan. 8, 1998-
John R. Hoffert .....	Oct. 4, 2001-

# JUDICIAL COMMISSIONS

## Judicial Resources Commission

**Contact Person:** Janice K. Walker, State Court Administrator, Room 1220, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3730

**Statutory Reference:** 24-1201

When a district or county judge dies, retires, resigns, is removed from office or is not retained in office, or if there is a need to change the boundaries or number of district or county judicial districts or the number of judgeships, the Judicial Resources Commission holds a public hearing in the affected district or districts. The commission determines whether a judicial vacancy exists and the location of that vacancy, whether the judicial district boundaries or number of districts should be changed or whether the number of district or county judges should be changed. After reaching a decision, the commission makes a recommendation to the Legislature.

Commission members include:

- a district judge, a county judge, a juvenile judge and a Supreme Court judge, all of whom are appointed by the Supreme Court. The Supreme Court judge serves as commission chairperson.
- six members of the Nebraska State Bar Association, one from each of the six Supreme Court districts, who have practiced law in the state for at least 10 years and who are appointed by the association’s executive council
- seven governor-appointed citizens, one from each of the six Supreme Court districts and one appointed at large, who are not judges (active or retired), Nebraska State Bar Association members or immediate family members of any other member

All members of the commission serve six-year terms. Members are reimbursed for expenses.

Member	Position	Term Expires
Rico E. Bishop, Lincoln.....	Attorney, District 1 .....	July 24, 2010
Alan L. Brodbeck, O'Neill.....	County Judge .....	July 14, 2010
Robert P. Chaloupka, Scottsbluff .....	Attorney, District 6.....	July 14, 2010
Ronald Furse, Aurora .....	Citizen, District 5.....	July 1, 2010
D. Paul Hartnett, Bellevue.....	Citizen, At Large.....	July 1, 2010
Thomas E. Hoarty, Omaha .....	Attorney, District 2.....	July 24, 2010
Jolanda Junge-Kuzma, Lincoln .....	Citizen, District 1.....	July 1, 2010
Michael McCormack, Lincoln (Chairman) .....	Supreme Court Judge.....	July 14, 2010
Patricia A. McQuillan, Greeley.....	Citizen, District 3.....	July 1, 2010
Gerald Moran, Omaha .....	District Judge.....	July 14, 2010
Jane D. Morgan, Gordon .....	Citizen, District 6.....	July 1, 2010
Nicole R. Neesen, Omaha .....	Attorney, District 4.....	July 24, 2010
Robert O’Neal, Papillion.....	Juvenile Judge .....	Oct. 31, 2013
Robert J. Parker, Hastings .....	Attorney, District 5.....	July 24, 2010
Sharon Y. Rodgers, Omaha.....	Citizen, District 2.....	July 1, 2010
Mark M. Sipple, Columbus.....	Attorney, District 3.....	July 14, 2010
Margie A. Smith, Bellevue .....	Citizen, District 4.....	July 1, 2010

## Judicial Nominating Commission

**Contact Person:** Janice K. Walker, State Court Administrator, Room 1213, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3730

**Statutory References:** Nebraska Constitution, Article V, Section 21; and 24-801

Once a determination is made that a judicial vacancy exists and a location is selected for the judge's home court, a judicial nominating commission holds a public hearing to interview candidates for the position.

Judicial nominating commissions are local bodies composed of four lawyers selected by the Nebraska State Bar Association and four nonlawyers appointed by the governor. No more than two lawyers may be from the same political party. Commission members serve four-year terms.

After each judicial nominating commission public hearing, the commission selects at least two qualified candidates for consideration by the governor. Generally, the governor selects the new judge. If the governor does not make an appointment in 60 days, the chief justice of the Supreme Court makes the appointment from the commission's list of candidates.

By Sept. 1 of each year, the clerk of the Supreme Court determines whether vacancies exist on any commission and reports the status of each commission to the governor. The governor must promptly fill vacancies of members that he or she appointed. Vacancies of commission lawyer members must be filled promptly by a special election, conducted by the Supreme Court clerk.

## Commission on Judicial Qualifications

**Contact Person:** Janice K. Walker, State Court Administrator, Room 1213, State Capitol, P.O. Box 98910, Lincoln, NE 68509-8910, phone (402) 471-3730

**Statutory References:** Nebraska Constitution, Article V, Section 28; and 24-715

The 1967 Legislature created the Commission on Judicial Qualifications pursuant to Article V, Sections 28 to 31 of the Nebraska Constitution, as adopted at the 1966 general election.

Any citizen may file a complaint with the commission about judges' acts, activities or qualifications. The commission conducts investigations after receiving complaints or requests for action. The commission can subpoena witnesses, hold hearings, require the judge to submit physical or mental examination findings by medical experts, appoint special masters to conduct hearings and conduct special investigations. The commission may recommend to the Supreme Court that a judge be either reprimanded, disciplined, censured or suspended. Actions calling for such punishment include:

- willful misconduct in office
- willful disregard of or failure to perform duties
- habitual intemperance
- conviction of a crime involving moral turpitude
- disbarment from the legal profession
- conduct that harms the administration of justice and the integrity of the judicial

office

A constitutional amendment adopted in 1980 provides that commission membership include:

- a district judge, a county judge and a judge of any other court except the Supreme Court, all of whom are appointed by the chief justice
- three members of the Nebraska State Bar Association who have practiced law in the state for at least 10 years and who are appointed by the association’s executive council
- three citizens who are not judges or Nebraska State Bar Association members and who are appointed by the governor
- the chief justice, who serves as the commission chairperson

Members serve four-year terms. The commission meets three to five times a year. Members are not paid but may be reimbursed for their expenses.

Member	Position	Term Expires
Hon. Alan L. Brodbeck, O’Neill.....	County Judge.....	March 2009
Hon. Jeffre Cheuvront, Lincoln.....	District Judge .....	March 2009
Charles Diers, Fremont.....	Citizen .....	March 2009
Mary C. Gerdes, Nebraska City .....	Citizen .....	March 2009
Fred Kaufman, Lincoln.....	Attorney.....	March 2009
D. Steven Leininger, Grand Island.....	Attorney.....	March 2009
Leigh Ann Retelsdorf, Omaha.....	Attorney.....	March 2009
Hon. Wadie Thomas, Omaha.....	Juvenile Court Judge .....	March 2009
Sherry Wright, Omaha .....	Citizen .....	March 2009
Hon. Michael G. Heavican, Lincoln (Chair) ....	Chief Justice.....	Nonexpiring